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Washington, Wednesday, June 23, 1943

The President

EXECUTIVE ORDER 9353

DISPOSAL OF ELECTRIC ENERGY GENERATED AT THE NORFORK PROJECT

WHEREAS the Norfolk Project on the North Fork River in the White River Basin in the States of Arkansas and Missouri, being constructed by the U. S. Corps of Engineers for the purpose of flood control, the improvement of navigation, and the development of hydro-electric power as an incident thereto, is now nearing completion; and

WHEREAS the electric energy to be generated at the Norfolk Project can best be utilized in the prosecution of the war by transmission, distribution, and utilization in coordination with the electric energy generated at the Pensacola Project on the Grand River in Oklahoma, and by the full use of the transmission, distribution, marketing, and other facilities now being operated in this area by the Federal Works Administrator (hereinafter called the Administrator) pursuant to Executive Order No. 8944, dated November 19, 1941:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and the statutes of the United States, particularly by Title I of the First War Powers Act, 1941 (55 Stat. 838), and by Title III of the Second War Powers Act, 1942 (56 Stat. 176), and as Commander in Chief of the Army and Navy and as President of the United States, it is hereby ordered as follows:

1. The Norfolk Project (including facilities for the generation of electric energy) shall be completed, maintained, and operated under the direction of the Secretary of War and the supervision of the Chief of Engineers, subject to the provisions of the Flood Control Act, approved June 30, 1938, as amended, and this order.

2. The Secretary of War shall (a) provide and maintain, for the use of the Administrator at the Norfolk Project, adequate station space and equipment, including such switches, switchboards, instruments, and dispatching facilities

as may be required by the Administrator for proper reception, handling, and dispatching of the electric energy generated at the said Project, together with transformers and other equipment required by the Administrator for the transmission of such energy from that place at suitable voltage to the markets which the Administrator desires to serve; (b) deliver to the Administrator the electric energy generated at the Norfolk Project and not required for the operation thereof; and (c) schedule the operations of the electric generating unit or units and appurtenant equipment of the Norfolk Project in accordance with the requirements of the Administrator, so far as those requirements are consistent with requirements for the storage or discharge of water for flood-control and other purposes.

3. The Administrator, acting for and on behalf of the United States through such person or persons as he may designate, is hereby authorized and directed (a) to sell and dispose of the electric energy generated at the Norfolk Project, in coordination with the electric energy generated at the Pensacola Project, to war plants and establishments, public bodies and cooperatives, and other persons, in that order of preference, at such rates as may be approved by the Federal Power Commission; and (b) to make such arrangements as he deems necessary to interconnect the Norfolk Project with other utility systems in the area, and interchange electric energy with and purchase electric energy from such systems.

4. Having become satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of copper and other materials and facilities for the transmission and distribution of electric energy required for the prosecution of the war, I hereby further authorize and direct the Administrator to allocate transmission and distribution lines and appurtenant facilities in the area for the purposes of transmitting and distributing electric energy generated at the Norfolk and Pensacola Projects to such extent as, in the judgment of the Administrator, will not substantially interfere with the

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other uses of such lines and facilities and upon such terms as the owners thereof and the Administrator may thereafter agree upon or, in the absence of such agreement, as may be fixed by the Federal Power Commission.

5. All receipts from the sale and disposition of the electric energy generated at the Norfolk Project shall be covered into the Treasury of the United States to the credit of miscellaneous receipts.

6. The Administrator may take such steps, not inconsistent with the provisions of section 16 of the Federal Power Act, as may be necessary to carry out the provisions of this order, and may employ necessary personnel without compliance with the requirements of the Civil Service Rules, and use for this purpose and for other necessary expenses, funds derived

from the operation of the Pensacola Project.

7. This order shall continue in force and effect so long as Title I of the First War Powers Act, 1941, remains in force, except that section 4 hereof shall continue in force and effect so long as Title III of the Second War Powers Act, 1942, remains in force.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

June 19, 1943.

[F. R. Doc. 43-9969; Filed, June 21, 1943; 2:58 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter I—War Food Administration

Subchapter C—Regulations Under the Farm Products Inspection Act

PART 61—COTTONSEED SOLD OR OFFERED FOR SALE FOR CRUSHING PURPOSES (INSPECTION, SAMPLING AND CERTIFICATION)

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the War Food Administrator, the following amendments to Title 7, Chapter I, Subchapter C, Part 61 and 1938, 1939 Supps., Code of Federal Regulations, as amended by 7 F.R. 6805, are promulgated:

Section 61.8 is amended to read:

§ 61.8 *Application for review.* In case of dispute in which a review is desired of the grading of any sample of cottonseed covered by a valid certificate issued by a licensed cottonseed chemist, application therefor shall be filed with or mailed to a supervisor of cottonseed inspection within ten days after the date of the original certificate, whereupon the licensed chemist issuing the certificate shall immediately surrender to such supervisor the retained portion of the original sample, together with such records as may be required, for the determination of the true grade. The supervisor shall assign to such retained portion an identification number, shall divide such retained portion into two parts and submit the parts to two other licensed cottonseed chemists for reanalysis. Should the supervisor determine that such reanalyses indicate a grade differing from the original by not more than plus or minus one full grade, the original grade shall be considered the true grade. Should he find that such reanalyses indicate a grade differing more than plus or minus one full grade from the original, he shall determine the true grade. In any case, the supervisor shall issue over his name an appeal cottonseed grade certificate showing the true grade as determined in accordance with this section, which shall supersede the licensed chemists' certificates relating to the grade of such seed. Where due solely to errors in calculation or clerical error a grade certificated by a licensed cottonseed chemist is not the true grade, the supervisor shall direct the licensee to cancel

the original and to issue a correct certificate. Should such error be found after an application for review has been filed, the supervisor shall nevertheless issue an appeal cottonseed grade certificate showing the true grade of the cottonseed involved.

Section 61.46 is amended to read:

§ 61.46 *Fees for review of grading of cottonseed.* For the review of the grading of any lot of cottonseed the fee shall be \$6.00. Remittance to cover such fee, in the form of a certified check, draft, or money order payable to the Treasurer of the United States, shall accompany each application for review. Of each such fee collected \$1.00 shall be covered into the Treasury as miscellaneous receipts and \$2.50 disbursed to each of the two licensed chemists designated to make reanalyses of such seed.

(56 Stat. 664; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C. this 21st day of June 1943.

JESSE W. TAPP,
Acting War Food Administrator.

[F. R. Doc. 43-9980; Filed, June 21, 1943;
4:46 p. m.]

Chapter VIII—War Food Administration

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR FARMS IN MAINLAND CANE SUGAR AREA FOR 1943 CROP AND TENANT AND SHARECROPPER PROTECTION

Pursuant to the provisions of sections 301 (c) and 302 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.26e *Proportionate shares of sugarcane for the mainland cane sugar area for the 1943 crop and tenant and sharecropper protection—(a) Farm proportionate share.* The proportionate share of sugarcane for the 1943 crop for any farm in the mainland cane sugar area shall be the number of acres planted thereon for the production of sugarcane to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1943 crop season.

(b) *Tenant and sharecropper protection.* Notwithstanding the establishment of a proportionate share for any farm under paragraph (a) above, eligibility of any producer on the farm for payment shall be subject to the following conditions:

(1) That such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or other producers any payment to which tenants or sharecroppers would be entitled if their 1942 leasing or cropping agreements were in effect.

(2) That such producer shall not have interfered with any contracts heretofore entered into by tenants or sharecroppers for the sale of their sugarcane or their

share of the sugarcane produced on the farm.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C. this 21st day of June, 1943.

CHESTER C. DAVIS,
War Food Administrator.

[F. R. Doc. 43-9998; Filed, June 22, 1943;
11:15 a. m.]

Chapter IX—War Food Administration

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

HANDLING OF MILK; AMENDMENT

§ 927.0 *Findings and determinations—(a) Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and milk orders (7 CFR, 1941 Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2815) a public hearing was held upon a certain proposed amendment to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the New York metropolitan marketing area. It is hereby found, upon the evidence introduced at such hearing on the proposed amendment, such findings being in addition to the findings made upon the evidence introduced at all prior hearings on the said order and amendments thereto (which findings are hereby ratified and affirmed, save only as such findings are in conflict with the findings hereinafter set forth), that:

(1) The order regulating the handling of milk in the said marketing area, as amended and as hereby amended, and all of the terms and conditions of said order, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the said order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the tentatively approved marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers (excluding co-operative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order) of at least 50 percent of the volume of milk covered by this order which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order further amending the order, as amended, is the only practical means pursuant to the declared policy of the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order further amending the order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of the order and who, during the month of April 1943 (which month is hereby determined to be a representative period), were engaged in the production of milk for sale in the said marketing area.

Order Relative To Handling

It is hereby ordered, That such handling of milk in the New York metropolitan marketing area as is in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce shall, from the effective date hereof, be in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended in the following respect:

Add as § 927.10 the following:

§ 927.10 *Emergency price provision.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to

be equivalent to or comparable with the price specified.

Issued at Washington, D. C., this 21st day of June 1943, to be effective on and after the 24th day of June 1943.

JESSE W. TAPP,

Acting War Food Administrator.

Approved: June 21, 1943.

FRED M. VINSON,

Director of Economic Stabilization.

[F. R. Doc. 43-9981; Filed, June 21, 1943; 4:46 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid to Civil Authorities and Public Relations

PART 12—PRISONERS

MISCELLANEOUS AMENDMENTS

Sections 12.1 (b) and 12.3 (b) are amended as follows:

§ 12.1 Clemency. * * *

(b) *Prisoners confined in United States disciplinary barracks or Federal institutions.* The case of each general prisoner who is serving sentence in a United States disciplinary barracks or in a Federal institution will be considered in the War Department for clemency at some time within the first 6 months of the period of confinement and annually thereafter. For prisoners serving sentence in a United States disciplinary barracks the commandant will make appropriate recommendation to The Adjutant General, and for those serving sentence in Federal institutions request will be made by The Adjutant General upon the warden for report when needed. (38 Stat. 1074; 10 U.S.C. 1457a) [Par. 18b, AR 600-375, May 17, 1943]

§ 12.3 *Mail*—(a) *Outgoing.* Letters will be sent out by prisoners through the prison officer. Each prisoner will be permitted to write his family or friends at least one letter in each week, all letters to be submitted unsealed for inspection.

(b) *Incoming.* Incoming mail will, with the prisoner's consent, be opened and inspected by the prison officer. Unless the prisoner consents to inspection, incoming mail may be retained unopened until the prisoner's release, or until disposed of by judicial process. Retained mail will be marked and entered in the personal property book. (38 Stat. 1074; 10 U.S.C. 1457a) (R.S. 161; 5 U.S.C. 22) [Par. 18b, AR 600-375, May 17, 1943]

[SEAL]

J. A. ULIO,

Major General,

The Adjutant General.

[F. R. Doc. 43-9961; Filed, June 21, 1943; 2:17 p. m.]

Chapter IX—Transport

PART 93—TRANSPORTATION OF INDIVIDUALS PHYSICALLY DISABLED OR INSANE PERSONS

Sections 93.16 and 93.17 are amended as follows:

§ 93.16 *Physically disabled persons.* (a) Except as set forth in paragraph (b) below, physically disabled persons (including prisoners of war, or alien enemies; and other evacuees under Executive Order No. 9066) will be furnished one lower berth each, tourist if restricted thereto under these regulations, and if available, otherwise standard, except that where the condition of the patient warrants and the daylight sleeping-car or parlor-car schedules are available and adequate, each patient will be furnished a separate seat in such sleeping car or parlor car. Attendants will be provided for such physically disabled persons whenever the responsible medical officer determines necessary. Regardless of rank, grade, or class, attendants will be furnished accommodations in the same car with physically disabled person(s), upper berth if restricted thereto, otherwise a lower or a separate seat in a sleeping car or parlor car. Transportation requests for such accommodations for officer attendants traveling in a mileage status may be furnished only under the circumstances and conditions set forth in Army Regulations.

(b) Whenever a physically disabled person may be expected to be noisy, ill-mannered, unrepresentable, or otherwise objectionable to the public, or is in such physical condition as to require exclusive accommodations, the responsible medical officer will furnish the transportation request a certificate, in duplicate, stating that the condition of the person requires exclusive accommodations. Attendants will be provided at all times for such physically disabled persons. Accommodations will be furnished for such physically disabled persons and their attendants in drawing rooms in parlor cars or in double bedrooms, compartments, or drawing rooms in sleeping cars. The responsible medical officer will determine in each case the number of attendants required, the class of accommodations required (that is, double bedrooms, compartments, or drawing rooms), and the total number of persons (physically disabled persons and attendants), not less than two, to occupy each double bedroom, compartment, or drawing room. The medical officer will also give due consideration to the use of special sleeping cars of the regular open section type if feasible and more economical. If such special sleeping cars are used, one lower berth will be furnished each physically disabled person. (See paragraph (a) above.) Attendants in such special sleeping cars will be furnished berth accommodations in the same car on the basis prescribed in these regulations. A statement of the foregoing determinations will be included by the medical officer in the above-mentioned certificate furnished the transportation officer, who will note the transportation request number on the original thereof and forward to the disbursing officer designated to pay the carrier's bill.

(c) [Rescinded] (R. S. 161; 5 U.S.C. 22) [Par. 3, AR 25-125 January 9, 1943 as amended by C 1, June 4, 1943]

§ 93.17 *Insane.* (a) Whenever transportation is required for any person (in-

cluding prisoners of war, alien enemies, and other evacuees under Executive Order No. 9066) who is insane or who is undergoing observation for insanity or mental disorders, the responsible medical officer will furnish the transportation request a certificate, in duplicate, as to the condition of the person. Attendants will be provided at all times for such mental cases. Accommodations will be furnished for such mental cases and their attendants in drawing rooms, in parlor cars, or in double bedrooms, compartments, or drawing rooms in sleeping cars. The medical officer will determine in each case the number of attendants required, the class of accommodations required (that is, double bedrooms, compartments, or drawing rooms), and the total number of persons (mental cases and attendants), not less than two, to occupy each double bedroom, compartment, or drawing room. The medical officer will also give due consideration to the use of special coaches or special sleeping cars of the regular open section type if feasible and more economical. If such special sleeping cars are used, one lower berth will be furnished each mental case. Attendants in such special sleeping cars will be furnished berth accommodations in the same car on the basis prescribed in these regulations. A statement of the foregoing determinations will be included by the medical officer in the above-mentioned certificate furnished the transportation officer who will note the transportation request number on the original thereof and forward to the disbursing officer designated to pay the carrier's bill.

(b) *Fifty persons or more.* [Rescinded] (R.S. 161; 5 U.S.C. 22) [Par. 4, AR 25-125 January 9, 1943 as amended by C 1, June 4, 1943]

[SEAL]

J. A. ULIO,

Major General,

The Adjutant General.

[F. R. Doc. 43-9962; Filed, June 21, 1943; 2:17 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Pocket No. 4164]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MAGNETIC RAY COMPANY, ETC.

§ 3.6 (a10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., of respondent's device designated "Magnetic Ray", or any other similar device, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's device, which advertisements represent, directly or by implication, (1) that respondent's device constitutes a cure or remedy for, or possesses any therapeutic value in the treatment

of, rheumatism, eczema, diabetes, Bright's disease, arthritis, asthma, indigestion, constipation, hemorrhoids, varicose veins, ulcers, goiter, high blood pressure, paralysis, headaches, neuralgia, insomnia, neuritis, sciatica, anemia, catarrh, bronchitis, heart diseases, obesity, low blood pressure, epilepsy, lumbago, impotence, menstrual troubles, catarrhal deafness, colds, sinus troubles, tuberculosis, tumors, or any other ailment or condition of the human body; (2) that respondent's device exceeds, equals, or is comparable with electricity, light, heat, x-rays, radium rays, violet rays, or ultra-violet rays in therapeutic value; (3) that the use of respondent's device stimulates a normal or healthful functioning of any of the organs or glands of the body; (4) that the use of respondent's device equalizes the circulation of the blood, relieving congestion or lack of blood supply in any part of the body; or that such use relieves pain, produces relaxation, or relieves muscular or nervous tension; or (5) that the use of respondent's device stimulates any increase in the oxidation or elimination of poisons in the body, or that it removes the condition of auto-toxemia; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Magnetic Ray Company, etc., Docket 4164, June 8, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of June, A. D. 1943.

In the Matter of Frank B. Moran, an Individual Doing Business as Magnetic Ray Company and as Magnetic Ray Clinic

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, original and supplemental reports of the trial examiner upon the evidence and the exceptions to the original report, original and supplemental briefs in support of the complaint, and original brief in opposition thereto (no supplemental brief having been filed on behalf of respondent and oral argument not having been requested); and the Commission having made its modified findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Frank B. Moran, individually and trading as Magnetic Ray Company and as Magnetic Ray Clinic, or trading under any other name, and his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of respondent's device designated "Magnetic Ray," or any other device of a substantially similar character, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication,

(a) That respondent's device constitutes a cure or remedy for, or possesses any therapeutic value in the treatment of rheumatism, eczema, diabetes, Bright's disease, arthritis, asthma, indigestion, constipation, hemorrhoids, varicose veins, ulcers, goiter, high blood pressure, paralysis, headaches, neuralgia, insomnia, neuritis, sciatica, anemia, catarrh, bronchitis, heart diseases, obesity, low blood pressure, epilepsy, lumbago, impotence, menstrual troubles, catarrhal deafness, colds, sinus troubles, tuberculosis, tumors, or any other ailment or condition of the human body;

(b) That respondent's device exceeds, equals, or is comparable with electricity, light, heat, X-rays, radium rays, violet rays, or ultra-violet rays in therapeutic value;

(c) That the use of respondent's device stimulates a normal or healthful functioning of any of the organs or glands of the body;

(d) That the use of respondent's device equalizes the circulation of the blood, relieving congestion or lack of blood supply in any part of the body; or that such use relieves pain, produces relaxation, or relieves muscular or nervous tension; or

(e) That the use of respondent's device stimulates any increase in the oxidation or elimination of poisons in the body, or that it removes the condition of auto-toxemia.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's device, which advertisement contains any representation prohibited in paragraph 1 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-10001; Filed, June 22, 1943;
11:25 a. m.]

[Docket No. 4925]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LATTA CREAM

§ 3.6 (t) Advertising falsely or misleadingly—Qualities or properties of product or service: § 3.6 (x) Advertising falsely or misleadingly—Results: § 3.6 (dd10) Advertising falsely or misleadingly—Success, use or standing. In connection with offer, etc., of respondents' cosmetic preparation designated "Latta Cream", or any similar product, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' said preparation, which advertisements represent directly or through inference that the use of said preparation will give a youthful and beautiful appearance and make one look younger; that the youthful appearance of motion picture stars is brought about through the use of said preparation; or that said preparation will effectively remove and eradicate wrinkles, lines, baggy eyes, double chin, sagging muscles, or other signs of age;

prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Latta Cream, Docket 4925, June 16, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of June, A. D. 1943.

In the Matter of M. L. Kay and Humbert O'Camp (Named in the Complaint as Hubert O'Camp), Individually and Trading as Latta Cream

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of the respondents, in which answers respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents M. L. Kay and Humbert O'Camp (named in the complaint as Hubert O'Camp), individually and trading as Latta Cream or trading under any other name or names, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of their cosmetic preparation designated "Latta Cream," or any product of substantially similar composition or possessing substantially similar properties, whether sold under the same name of any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement (a) by means of the United States mails or (b) by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or through inference that the use of said preparation will give a youthful and beautiful appearance and make one look younger; that the youthful appearance of motion picture stars is brought about through the use of said preparation; or that said preparation will effectively remove and eradicate wrinkles, lines, baggy eyes, double chin, sagging muscles, or other signs of age.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or

which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of said cosmetic preparation "Latta Cream," which advertisement contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-10002; Filed, June 22, 1943;
11:25 a. m.]

[Docket No. 4409]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ALMA'S HOME MADE CANDIES

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy or any other merchandise, (1) supplying, etc., others with push cards or other lottery devices, either with merchandise or separately, which are to be used or may be used in the sale or distribution of respondents' merchandise or any merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (2) selling, etc., candy or other merchandise so packed and assembled that sales of such candy or other merchandise to the public are to be made or, due to the manner in which such candy or other merchandise is packed and assembled at the time it is sold by respondents, may be made by means of a game of chance, gift enterprise, or lottery scheme; or (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Alma's Home Made Candies, Docket 4409, June 16, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of June, A. D. 1943.

In the Matter of Mrs. Alma Loughran and Lee R. Loughran, Individually and Trading as Alma's Home Made Candies

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission (no answer having been filed by respondents), testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Mrs. Alma Loughran and Lee R. Loughran, individually and trading as Alma's Home Made Candies, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of candy or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to or placing in the hands of others push cards or other lottery devices, either with merchandise or separately, which are to be used or may be used in the sale or distribution of respondents' merchandise or any merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

2. Selling or distributing candy or other merchandise so packed and assembled that sales of such candy or other merchandise to the public are to be made or, due to the manner in which such candy or other merchandise is packed and assembled at the time it is sold by respondents, may be made by means of a game of chance, gift enterprise, or lottery scheme.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme. It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-10003; Filed, June 22, 1943;
11:25 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50882]

PART 6—AIR COMMERCE REGULATIONS

CERTAIN AIRPORTS REDESIGNATED AS AIRPORTS OF ENTRY FOR A PERIOD OF ONE YEAR¹

JUNE 19, 1943.

The following-named airports are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from the dates shown opposite their names:

Name and location:	Date of redesignation
John G. Hinde Airport, Sandusky, Ohio.....	June 1, 1943
Havre Municipal Airport, Havre, Mont.....	June 2, 1943
Watertown Municipal Airport, Watertown, N. Y.....	June 2, 1943

¹ This document affects the tabulation in 19 CFR 6.13.

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL]

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-9968; Filed, June 21, 1943;
11:53 a. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Regulation 6]

PART 909—GOVERNING THE BRINGING IN OF MEXICAN WORKERS FOR EMPLOYMENT IN THE UNITED STATES IN RAILROAD TRACK LABOR

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139, 9247 and 9279, I hereby prescribe the following regulation governing the bringing in of Mexican workers for employment in the United States in railroad track labor pursuant to the terms of the agreement between the Republic of Mexico and the United States of America dated April 29, 1943, for temporary migration of Mexican non-agricultural workers:

Sec.

- 909.1 Administration of the program.
- 909.2 Prerequisites to obtaining workers for any employer.
- 909.3 Prerequisites to transportation of any Mexican worker.
- 909.4 Transportation of workers and subsistence during travel.
- 909.5 Employer records.
- 909.6 Status of collective bargaining agreements and exclusive bargaining rights.
- 909.7 Determination of rights and duties of employers and of workers.
- 909.8 Emergency situations.
- 909.9 Saving clause.

AUTHORITY: §§ 909.1-909.9, inclusive, issued under Executive Order No. 9139, 7 F.R. 2919, Executive Order No. 9247, 7 F.R. 7379 and Executive Order No. 9279, 7 F.R. 10177.

§ 909.1 *Administration of the program.* The Executive Director of the War Manpower Commission, through such officers or employees of the War Manpower Commission as he may designate, shall (a) make all necessary arrangements for and supervise the selection of workers in the Republic of Mexico for employment by employers in the United States of America in railroad track labor and enter into necessary contracts with workers on behalf of the United States of America; (b) enter into necessary contracts and transportation agreements with employers on behalf of the United States of America; and (c) administer all other operational aspects of the program for the bringing in of Mexican workers for employment in the United States in railroad track labor. The Executive Director of the War Manpower Commission may utilize the facilities and personnel of the Railroad Retirement Board for such purposes, in accordance with such arrangements as may be made with the Railroad Retirement Board, and in such manner and to such extent as may be appropriate.

§ 909.2 Prerequisites to obtaining workers for any employer.

(a) Mexican workers shall not be obtained for any employer engaged in railroad activities unless the supply of workers available within the United States is inadequate and efforts to recruit such workers, under hiring specifications which are reasonable and appropriate for the jobs and which do not discriminate against qualified workers, have been unsuccessful, all reasonable areas and sources of recruitment, including the Railroad Retirement Board Employment Service, having been fully utilized; nor shall any such workers be obtained for any such employer unless the employer has (1) entered into a contract to employ and transportation agreement with the United States of America which includes the provisions contained in forms provided by the War Manpower Commission for that purpose, and (2) furnished the United States of America a good and sufficient blanket maintenance of status and departure bond in such sum as may be required by the Board of Immigration Appeals of the Department of Justice and in the form and with a surety company approved by the Immigration and Naturalization Service of the Department of Justice. The contract referred to at (1) above shall provide for transportation (including adequate subsistence during travel) at the expense of the employer, and for employment of Mexican workers with respect to whom the employer has executed a selection card provided by the War Manpower Commission for such purpose; and shall include provisions for reimbursement to the United States of America by the employer of sums paid to any worker by the United States of America which the employer is obligated to pay to such worker and has not paid, and for any costs of transportation paid by the United States of America which the employer is obligated to pay and has not paid, together with interest thereon at six per cent per annum from the date of such payment by the United States of America.

(b) Before Mexican workers are selected for employment by an employer in railroad track labor, such employer shall have delegated to its agent at the place of selection, or to an officer or employee of either the War Manpower Commission or the Railroad Retirement Board, by written power of attorney, authority to execute a selection card with respect to each Mexican worker selected from the pool of workers made available by the War Manpower Commission for this selection process, and to determine on behalf of the employer that the qualifications of the worker selected meet the employer's specifications. Any physical examination in addition to the examination given by the United States Public Health Service, in collaboration with the Mexican Public Health authorities, required by an employer as a condition of employment shall be given at the place of selection, at the employer's expense.

§ 909.3 Prerequisites to transportation of any Mexican worker. No Mexican worker shall be transported for employment by any employer in the United

States of America in railroad track labor unless (a) an employer has executed a selection card with respect to such worker; and (b) the worker has entered into an individual work agreement with the United States of America which includes the provisions contained in forms provided by the War Manpower Commission for that purpose.

§ 909.4 Transportation of workers and subsistence during travel. (a) Travel in the United States and, whenever facilities are provided by a United States railroad company for use in connection therewith, travel in Mexico, shall be by railroad coach, bus or such other means as may be approved by the War Manpower Commission.

(b) Every Mexican worker shall be afforded adequate subsistence during travel and until employment. As used herein and in any contract entered into pursuant to these regulations, "adequate subsistence" means three meals per day, shelter, and necessary medical care. For all purposes of computation of the value of subsistence exclusive of necessary medical care, the rate of two dollars per day per person shall be used. The meals furnished to any Mexican worker during travel shall be at least of a quality and quantity not less favorable than those usually served in the employer's commissary department, and shall be adapted, insofar as possible, to the habits of Mexican workers.

§ 909.5 Employer records. Every employer shall keep full and complete records of each worker's daily and hourly employment and wages and of the extent to which each worker is afforded an opportunity to work, of transportation and subsistence afforded any worker, and of any and all deductions made from the wages of any worker for any purpose. Such records shall be kept in such manner and form as may be prescribed by the Chairman of the War Manpower Commission, or by the Railroad Retirement Board with the approval of the Chairman of the War Manpower Commission, or his duly authorized representative. To the extent that records of any such facts are required by law to be kept by the employer, such records may be utilized in fulfillment of the employer's obligations under its agreement with the United States. The Railroad Retirement Board, subject to the approval of the Chairman of the War Manpower Commission or his duly authorized representative, shall determine the necessity for and the contents of any reports with respect to employment of such workers which may be required in addition to those reports usually required of employers for the administration of retirement and unemployment insurance benefits. The records herein required shall at all times be open to inspection and examination by the Chairman of the War Manpower Commission, or his duly authorized representative, who may be a duly authorized representative of the Railroad Retirement Board, who shall be entitled to make copies thereof.

§ 909.6 Status of collective bargaining agreements and exclusive bargaining

rights. (a) None of the rights and duties which Mexican workers may have under their individual contracts with the United States of America shall be construed as limiting or supplanting their rights and duties under the collective bargaining agreement which exists between the employer by whom they may be employed and the craft or class of employees to which they may belong.

(b) No contract which the employer may have with the United States of America pursuant to § 909.2 of this regulation shall be construed as precluding full performance by the employer of any obligation which such employer may have under a collective bargaining agreement with the craft or class of employees to which Mexican workers belong.

(c) The right accorded to groups of workers admitted under the agreement between the Republic of Mexico and the United States of America to select their own spokesmen to deal with the employer, with the duly authorized representative of the craft or class of employees, or with other interested parties, concerning matters arising out of the interpretation or application of that agreement shall not be construed as limiting, in any way, the power or authority under the Railway Labor Act, as amended, of any duly authorized representative of a craft or class of employees, and shall not be construed as conferring any such power or authority upon the spokesmen provided for in that agreement. Groups of workers admitted under such agreement shall have no separate identity for purposes of collective bargaining with the employer.

§ 909.7 Determination of rights and duties of employers and of workers. (a) Except as provided at paragraph (c) hereof, any complaint of a worker with respect to non-compliance with any of the provisions of his contract with the Government entered into pursuant to § 909.3 of this regulation, or of an employer with respect to non-compliance with any provisions of a contract with the Government entered into pursuant to § 909.2 of this regulation, shall be made to the manager of the War Manpower Commission's local employment office nearest to the place of employment, or to an appropriate field representative of the Railroad Retirement Board, who may make any necessary investigation. The War Manpower Commission local employment office manager may, in case of any complaint made to him, request the appropriate Railroad Retirement Board representative to make an investigation. Whenever an adjustment or settlement by the parties cannot be effected, the manager of the appropriate War Manpower Commission local employment office shall make a determination with respect to any complaint and shall promptly notify the affected party or parties thereof in such manner as to clearly inform them of their rights under paragraph (d) hereof. The War Manpower Commission's local employment office managers shall keep a record of all complaints and of the adjustment or settlement effected or of the determination made in each instance.

(b) The manager of the appropriate War Manpower Commission local employment office on his own initiative, or the Railroad Retirement Board on its own initiative or at the request of the War Manpower Commission's local employment office manager, may, at any time, make any necessary investigation with respect to whether an employer has failed to meet its obligations to the Government under its contract with the Government entered into pursuant to § 909.2 of this regulation. In the event it is found, as a result of such investigation, that an employer has failed in a material respect to meet its obligations under said contract, the manager of the appropriate War Manpower Commission local employment office shall make a determination and promptly notify the employer and any affected worker of such determination, and of their rights under paragraph (d) hereof.

(c) An employer desiring to terminate the employment of a worker pursuant to its contract with the Government shall notify the manager of the War Manpower Commission's local employment office nearest to the place of employment, in writing, of its complaint with respect to such worker, and request permission to terminate the employment of such worker. A copy of such request shall be sent, by the employer, to the Railroad Retirement Board. No decision with respect to termination of the employment of a worker at the request of an employer shall be made until the manager of the appropriate War Manpower Commission local employment office shall have heard the defense of the worker. In the event it is decided that the worker is unable or unwilling to meet his obligations as provided in the worker's contract entered into pursuant to § 909.3 of this regulation, the manager of the appropriate War Manpower Commission local employment office shall make a determination and promptly give notice thereof to the worker and the employer. In the event of such a decision, the worker shall be informed whether or not he is to be transferred to other employment, and if not to be so transferred, he shall be informed of termination of the agreement entered into with the Government pursuant to § 909.3 of this regulation.

(d) The worker adversely affected by any determination made by a War Manpower Commission local employment office manager pursuant to paragraphs (a) or (c) hereof or the employer adversely affected by any determination made by a War Manpower Commission local employment office manager pursuant to paragraph (a), (b) or (c) hereof may, within three days after the date thereof, take an appeal therefrom to the area director of the War Manpower Commission for the area in which the place of employment is situated, or, if there be no such area director, to the state director of the War Manpower Commission for the state in which the place of employment is situated. Notice of appeal shall be directed to the manager of the appropriate War Manpower Commission local employment office,

who shall inform the appropriate area or state director thereof. The area or state director shall promptly arrange for a hearing at which the worker and the employer shall be afforded an opportunity to present evidence on the question. Such hearing shall be before a hearing panel appointed by the area or state director, which shall be composed of an equal number of representatives of management and of labor chosen from a roster of panel members nominated by the members of the Area Management Labor War Manpower Committee, or if there be no such committee, by the members of the Regional Management-Labor War Manpower Committee for the region in which the place of employment is situated. On the basis of the evidence presented and of such independent investigation as the hearing panel may make, such body shall make appropriate recommendations to the area or state director, who shall make a determination and notify the worker and the employer thereof. Such determination shall be final and conclusive, unless a review is requested as provided at paragraph (e) hereof.

(e) The Regional Director of the War Manpower Commission for the region in which the place of employment is situated and the Chairman of the War Manpower Commission shall be promptly notified of the filing of every appeal and of the determination of the area or state director with respect thereto. The Regional Director may, at any time after appeal is taken, require that the record in any case be transmitted to him for review after determination on appeal, and may affirm, modify or reverse any such determination or may certify any question involved therein to the Chairman of the War Manpower Commission. The Chairman of the War Manpower Commission may, at any time after appeal is taken, on the basis of such certification or on his own initiative, require that any case be submitted to him for ultimate determination. No request of a Regional Director or of the Chairman of the War Manpower Commission to review a determination which will result in separation of a worker from employment for an employer shall operate to stay separation, unless review is initiated within three days after such determination. Any request for review by either the appropriate Regional Director or the Chairman of the War Manpower Commission shall be initiated within fifteen days after the determination on appeal.

(f) No determination which will result in termination of the employment of a worker shall be effective until expiration of the time for appeal as set forth at paragraph (d) hereof; and, in the event of an appeal from such determination, separation of the worker from employment for the employer shall be stayed pending final determination on appeal.

(g) No adjustment, settlement or determination under the procedure set forth above shall preclude the worker from asserting any rights or pursuing any remedy in relation to such rights which he may have under the terms of

the collective bargaining agreement between the employer and the craft or class of employees to which he belongs or under the Railway Labor Act, as amended.

(h) All complaints made direct to the War Manpower Commission's local employment office managers, all adjustments, settlements and determinations made pursuant to the procedure set forth above, and all appeals from such determinations shall be reported to the Railroad Retirement Board for purposes of its records.

(i) Any claim with respect to non-compliance with any provision of a contract entered into pursuant to §§ 909.2 or 909.3 of this regulation must be asserted within 30 days after termination of the employment of the worker involved.

(j) War Manpower Commission Regulation No. 5 governing appeals shall not be applicable to the hearing and determination of rights and duties of employers and workers under the contracts entered into pursuant to §§ 909.2 and 909.3 of this regulation.

§ 909.8 *Emergency situations.* Mexican workers brought in for employment in the United States in railroad track labor may be employed in railroad work other than track labor, with the approval of the Chairman of the War Manpower Commission or his duly authorized representative given after consultation with the employer and with the duly authorized representative of the craft or class of employees involved, if such employment is found necessary to meet an emergency situation or if the use of such labor in other than track work is found necessary due to special circumstances. In the event that Mexican workers are employed in railroad work other than track labor, this regulation shall govern with respect to such workers as fully as if such other types of railroad employment were specifically mentioned herein.

§ 909.9 *Saving clause.* All the rights and privileges conferred or obligations imposed upon employers or Mexican workers by this regulation, or by acts done pursuant thereto, shall exist subject to the right of the Chairman of the War Manpower Commission to amend or repeal this regulation, or any part thereof, at any time.

PAUL V. McNUTT,
Chairman.

JUNE 17, 1943.

[F. R. Doc. 43-10000; Filed, June 22, 1943;
11:10 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 71]

PART 802—GENERAL LICENSES

SHIPMENTS VALUED AT \$25 OR LESS

Paragraph (a) of § 802.10 *General Licenses which permit shipments not ex-*

ceeding a specified value¹ is hereby amended by deleting from the list of commodities set forth therein the following commodities:

Commodity:	Schedule B Number
Barbed wire-----	6083.00
Nails and bolts (except rail- road)-----	6092.00 through 6099.00
Plain wire-----	6081.00, 6085.00
Wire and manu- factures, other--	6085.00 through 6091.98

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 34, 7 F.R. 9807)

Dated: June 2, 1943.

HECTOR LAZO,
Assistant Director
In Charge of the Office of Exports.

[F. R. Doc. 43-9995; Filed, June 22, 1943;
10:28 a. m.]

[Amendment 72]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "Shipping Priority Rating" the shipping priority rating assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby deleted and in the column headed "General License Group" the group designation assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity	Department of Commerce No.	General license group
Leather manufactures: Discontinued models, old styles, and second-hand shoes. (Include very low-priced)-----	0659.00	None

Shipments of commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25,

7 F.R. 4951; Delegation of Authority No. 34, 7 F.R. 9807)

Dated: June 4, 1943.

HECTOR LAZO,
Assistant Director,
In Charge of the Office of Exports.

[F. R. Doc. 43-9996; Filed, June 22, 1943;
10:28 a. m.]

[Amendment 73]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS FOR LICENSES

Paragraph (c) of § 804.2 *Applications for licenses*¹ is hereby amended by adding to the numbered commodity groups therein set forth the following:

Commodity:	Schedule B No.
168 Iron or steel wire, uncoated (include carbon, stainless and alloy steel)-----	6081.00
Galvanized wire-----	6082.00
Barbed wire-----	6083.00
Woven-wire fencing-----	6085.00
Coated wire, n. e. s., of iron or steel (include electric and telephone transmission wire of iron or steel, coated with aluminum, copper or other metal; insulated wire and cable having an iron or steel core)-----	6091.09
Wire clothesline-----	6091.19
Twisted wire-----	6091.25
Wire nails-----	6092.00
Fence staples, only-----	6095.00

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 34, 7 F.R. 9807)

Dated: June 17, 1943.

HECTOR LAZO,
Assistant Director
In Charge of the Office of Exports.

[F. R. Doc. 43-9997; Filed, June 22, 1943;
10:28 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-350]

WIDDY DART BOARD CO.

Charles J. Widmeier, doing business as Widdy Dart Board Company, Philadelphia, Pennsylvania, is engaged in the manufacture of darts and dart boards. During the period from April 1, 1942 to February 19, 1943 he used lead or lead base alloy in the manufacture of items contained on List A of Conservation Order M-38-c, namely toys, consisting of a substantial number of darts. This

constituted a violation of that order. During the period from September 15, 1942 to February 19, 1943 he assembled items on List A of Conservation Order M-126, containing iron and steel, namely game devices, consisting of a substantial number of darts. This constituted a violation of Conservation Order M-126. During the period from June 30, 1942 to November 24, 1942 he processed, fabricated, worked on and assembled critical materials, namely iron and steel, for use in the production of Class A products, as defined in Limitation Order L-81, namely a substantial number of darts, and during the period from November 24, 1942 to February 19, 1943 he processed, fabricated, worked on and assembled toys and games containing iron and steel, namely a substantial number of darts. These acts constituted violations of General Limitation Order L-81. During the periods mentioned aforesaid, Charles J. Widmeier had knowledge of Conservation Order M-38-c, Conservation Order M-126, and General Limitation Order L-81, and the violations therefore were wilful.

These violations of said orders have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, That:

§ 1010.350 Suspension Order S-350.

(a) Deliveries of material to Charles J. Widmeier, doing business as Widdy Dart Board Company or otherwise, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other Orders or Regulations of the War Production Board except as specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Charles J. Widmeier, doing business as Widdy Dart Board Company or otherwise, his successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) Charles J. Widmeier, doing business as Widdy Dart Board Company, or otherwise, his successors or assigns, shall not accept deliveries of, or use, any iron, steel, lead or lead base alloy in the processing, manufacturing, fabrication or assembly of any article whatsoever, except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Charles J. Widmeier, doing business as Widdy Dart Board Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This Order shall take effect on June 23, 1943, and shall expire on September 23, 1943, at which time the re-

¹ 8 F.R. 1549, 2750, 4237.

¹ 8 F.R. 1563, 1709, 1879, 2750, 2833.

strictions contained in this order shall be of no further effect.

Issued this 21st day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9970; Filed, June 21, 1943;
3:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-351]

ADELSBERG BROTHERS

Nathan Adelsberg and David Adelsberg of Philadelphia, Pennsylvania, are engaged in the manufacture of new wood upholstered furniture, under the name "Adelsberg Brothers". Subsequent to November 1, 1942 they processed, fabricated, worked on and assembled new wood upholstered furniture, containing iron and steel other than joining hardware, without authority from the War Production Board. Since November 1, 1942 Nathan Adelsberg and David Adelsberg have been aware of the provisions of Limitation Order L-135 prohibiting the use of iron and steel in the processing, fabrication and assembly of new wood upholstered furniture, and these acts, therefore, constituted a wilful violation of that order. Approximately \$5,000.00 profit was realized by the respondents from the aforesaid violation. Their estimated repair work for the next few months will average about \$2,500.00 per month.

These violations of Limitation Order L-135 have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.351 Suspension Order S-351.

(a) Nathan Adelsberg and David Adelsberg, doing business as Adelsberg Brothers or otherwise, their successors and assigns, are prohibited from making deliveries of wood upholstered furniture, whether or not said wood upholstered furniture contains iron or steel, which has been processed, fabricated, worked on, assembled, or repaired by them, in any month during the term of this order, after the gross receipts from their said business have reached the sum of \$1,500.00 for that month.

(b) Nothing contained in this order shall be deemed to relieve Nathan Adelsberg and David Adelsberg, doing business as Adelsberg Brothers or otherwise, their successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 23, 1943, and expire on November 23, 1943.

Issued this 21st day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9971; Filed, June 21, 1943;
3:02 p. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Supplement 2 to General Preference Order M-330]

The following supplemental order is issued pursuant to paragraph (c) of General Preference Order M-330.

§ 1029.32 (a) *Distributors to maintain temporary farm supplies reserves.* (1) As to each item on the attached List A, each distributor who regularly supplies farm distribution outlets must segregate as a farm supplies reserve the percentage of his inventory of that item which is indicated after it on the list. The percentage is to be calculated against the physical quantity of the item in inventory as of June 22, 1943, or, if that is not practicable, the latest date before then for which inventory figures are available. The reserve must be segregated either physically or by book record.

(2) Every such distributor must segregate in the same proportion all supplies received after June 22, 1943.

(b) *Restrictions on sale from reserve.* After June 22, 1943, and before September 1, 1943, no distributor shall make any delivery from the reserve referred to in paragraph (a) above except to farm distribution outlets or to fill orders rated AAA. Orders for listed farm supplies in excess of this reserve shall be treated in accord with War Production Board regulations.

(c) *Appeals.* If any distributor is of the opinion that he will not be able to sell his total reserve to farm distribution outlets within a reasonable time he may appeal for a modification of the requirements of this supplemental order. The appeal should be filed as provided in paragraph (i) of order M-330.

Issued this 22d day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Item	Percentage
Auger bits.....	25
Batteries:	
Flashlight.....	25
Farm radio.....	75
Individual or multiple for.....	60
Telephone	
Ignition for power operating machinery	
Fence	
Belt fasteners, metal.....	25
Chains:	
Halter, cow tie and tie out.....	95
Harness, trace, breast, heel and butt.....	95
Log.....	75
Tractor tire.....	90
Welded coil under 1/2".....	85
Repair links (other than drop forge).....	75
Cold chisels, standard.....	25
Drills, carbon steel:	
Blacksmith.....	50
Bit stock.....	25
Straight shank.....	25
Grain scoops.....	85
Grease fittings and oil cups.....	50
Grease guns, hand operated, including hose and adapters.....	50
Handles:	
Small tool (hickory and oak).....	50
Steel goods (ash).....	85

Item	Percentage
Harness made from leather.....	90
Harness hardware.....	95
Hoes (field and garden).....	85
Motors, fractional under 1 HP.....	50
Oilers (farm machinery).....	75
Pails, galvanized.....	50
Pipe fittings (cast or malleable iron in sizes up to and including 2 inch).....	30
Pliers:	
Fence.....	95
Slip joint.....	25
Plow bolts.....	60
Punches:	
Machine.....	25
Pin.....	25
Screwdrivers, regular pattern, wood handle.....	25
Shovels:	
Round pointed #2 regular.....	60
Round pointed #2 irrigating.....	85
Square point #2 regular.....	60
Tire gauge, low pressure.....	50
Tire pumps, hand operated.....	50
Tubs, galvanized.....	75
Valves (brass, bronze or iron body gate, globe, angle or check in sizes up to and including 2 inch).....	6
Wagon wood stock.....	95
Wrenches:	
Adjustable.....	25
General Purpose.....	25
Pipe Wrenches.....	25

[F. R. Doc. 43-10006; Filed, June 22, 1943;
11:56 a. m.]

PART 1075—CONSTRUCTION

[Preference Rating Order P-55 as Amended June 22, 1943]

REVOCATION OF CERTAIN UNUSED PREFERENCE RATING ORDERS

§ 1075.7 *Preference Rating Order P-55.* In view of the critical shortage in housing facilities, it is essential that critical materials available for housing construction be immediately put to such use. The existence of outstanding preference rating orders for housing projects, under which construction has not been performed in accordance with the proposed construction schedule makes necessary the re-allocation of authorizations for such construction to persons who will construct the needed war housing.

(a) *Revocation of P-55 preference rating orders.* As of the effective date of this revocation order (as provided in paragraph (b)), all P-55 orders are hereby revoked except to the extent that they cover structures authorized on Form CMP-4-C or CMP-H-1. This revocation order does not affect any P-55-b order.

(b) *Effective date—(1) Effective date of revocation order where CMP-H-1 is filed.* If an application form CMP-H-1 is filed on or before the date of expiration of the P-55 Order or July 15, 1943 (whichever date is later), this revocation order does not take effect unless and until the CMP-H-1 is denied in whole or in part. If the CMP-H-1 is so denied, this revocation order shall then take effect as to any structures not authorized thereon. Any holder of an expired P-55 order which has not been specifically revoked may, on or before July 15, 1943, file an application form CMP-H-1 for structures covered by the order.

(2) *Effective date of revocation order in other cases.* Where a CMP-H-1 is not filed as provided in paragraph (b) (1) above, the effective date of this

revocation is the date of expiration of the P-55 order or July 15, 1943 (whichever date is later).

(c) *Revocation of other ratings.* All PD-1A and other preference rating certificates and orders issued to a builder for materials to be incorporated in or used as a part of any revoked project are hereby revoked.

(d) *Effect of revocation.* This revocation of P-55 and other ratings covers ratings already applied and extended for undelivered items, as well as ratings which have not been applied or extended; but it shall not prevent a supplier from extending a rating to replace a delivered item in his inventory.

(e) *Prohibition of construction.* The builder shall neither begin nor permit the beginning of any construction or installation on the revoked project after the effective date of this revocation order.

(f) *Prohibition of deliveries of material.* After the effective date of this revocation order, neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of, or any installation on, the revoked project. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are in transit on the effective date of the revocation, or the acceptance of any such delivery.

(g) *Notice to suppliers.* The builder shall promptly notify his suppliers of the terms of this revocation order, and each supplier shall in turn notify his suppliers.

(h) *Application for exception.* The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the War Production Board (by letter) for an exception setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. Applications for exception under this paragraph shall be addressed to the War Production Board, Ref. P-55, and shall be filed with the local office of the Federal Housing Administration.

(i) *Effect on prior orders.* This order supersedes all previous orders and directives of the War Production Board relative to the project, except that previously issued revocation orders shall remain effective.

(j) *Communications.* Communications concerning this revocation shall be addressed to the District Office, War Production Board, which originally issued the P-55 order.

(k) *Definitions.* (1) "Revoked project" means all structures covered by any P-55 order or part thereof which is revoked under paragraph (a).

(2) "Builder" means the person specifically named as builder or owner in a P-55 order, wholly or partially revoked under paragraph (a).

Issued this 22nd day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10007; Filed, June 22, 1943; 11:57 a.m.]

PART 1282—BABY CARRIAGES

[Schedule I to Limitation Order L-152 as Amended June 22, 1943]

§ 1282.2 *Schedule I to Limitation Order L-152.* Pursuant to paragraph (b) (3) of Limitation Order L-152, the

NOTE: Table as amended in its entirety June 22, 1943.

Name	Number of carriages			
	Group I		Group II	Group III
	Maximum steel—6 lbs.	Maximum steel—9 lbs.		
Aga Toy Co., New York, N. Y.				1,000
Allied Cabinet Corp., Chicago, Ill.				5,000
Atlas Baby Carriage Co., New York, N. Y.		3,000	60	
Bilt-Rite Baby Carriage Co., Brooklyn, N. Y.		6,000	120	
Collier-Keyworth Co., Gardner, Mass.		7,500	150	
George Cooper Mfg. Co., New York, N. Y.		350	7	5,000
Crown Venetian Blind Co., Los Angeles, Cal.				15,000
Custom-Bilt Mfg. Co., Gardner, Mass.	750			
Garton Toy Co., Sheboygan, Wisc.				5,000
Hartman Mfg. Co., St. Louis, Mo.		8,500	170	
C. H. Hartshorn Co., Gardner, Mass.		3,500	70	2,500
Hedstrom-Union Co., Gardner, Mass.		18,500	370	7,200
Heywood-Wakefield Co., Gardner, Mass.	35,000			700
Kroll Bros. Co., Chicago, Ill.	25,000			500
Kuniholm Mfg. Co., Gardner, Mass.		24,000	480	56,000
Leader Baby Carriage Co., New York, N. Y.		1,000	20	
Mahr-Buften Co., Minneapolis, Minn.		3,000	60	
Pearl Mfg. Co., New York, N. Y.		700	14	
Perfection Mfg. Co., St. Louis, Mo.		6,500	130	1,500
Schuler Radiant Co., Cleveland, Ohio.				10,000
S. & E. Mfg. Co., Fitchburg, Mass.				10,000
O. W. Siebert Co., Gardner, Mass.	30,000		600	300
Storkline Furn. Corp., Chicago, Ill.		7,000	500	
Frank F. Taylor Co., Cincinnati, Ohio.				100,000
Theyer Co., Gardner, Mass.		20,000	600	12,000
Valley City Furn. Co., Grand Rapids, Mich.				3,000
Victoria Baby Carriage Co., New York, N. Y.		1,000	20	
Wear-Ever Carriage Co., New York, N. Y.		4,000	80	
The Welsh Co., St. Louis, Mo.		54,000	1,080	
F. A. Whitney Carriage Co., Leominster, Mass.	25,000	102	500	

Issued this 22d day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10008; Filed, June 22, 1943; 11:56 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Inventory Dir. 10 Under CMP Reg 2]

ALLOY STEEL AIR FRAME AND ENGINE TUBING

§ 3175.1010. *Inventory Direction No. 10.* Pursuant to paragraph (b) (2) of CMP Regulation 2, it is hereby ordered, That:

In the case of any person using alloy steel airframe and engine tubing in the production of aircraft or components thereof, the minimum quantity shown on Schedule A of CMP Regulation 2 opposite alloy steel tubing shall not apply. Instead, any such person may accept delivery, under paragraph (c) (3), of whichever is smallest of the following: 5,000 pounds, or 10,000 feet or a minimum mill production run.

Issued this 22d day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10009; Filed, June 22, 1943; 11:57 a. m.]

following production quotas for carriages are hereby established for the period from April 22, 1943, to June 30, 1943, inclusive. Each manufacturer named is authorized to produce during that period the number of carriages set forth opposite his name.

PART 3198—OXY-ACETYLENE APPARATUS

[General Conservation Order L-268 as Amended June 22, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of oxy-acetylene apparatus for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3198.1 *General Conservation Order L-268—(a) Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person to the extent that he is engaged in the fabrication or assembly of oxy-acetylene apparatus, or parts thereof, and includes any sales or distribution agencies, outlets, warehouses, or branches owned or controlled by any such person.

(3) "Dealer" means any person to the extent that he acquires oxy-acetylene apparatus or parts thereof for resale, but does not include any sales or distribution agencies, outlets, warehouses or branches owned or controlled by a manufacturer.

(4) "Oxy-acetylene apparatus" means (i) any new device which uses oxygen, in conjunction with acetylene or other fuel gases, for the welding, heating or cutting of metals; or (ii) any new acetylene generator.

(b) *Restrictions on acceptance and delivery of orders.* (1) On and after March 6, 1943, no manufacturer or dealer shall accept any order for oxy-acetylene apparatus, or parts thereof, unless the order bears a preference rating of AA-5 or higher.

(2) On and after April 25, 1943, no manufacturer or dealer shall deliver any oxy-acetylene apparatus or parts thereof except in fulfillment of an order bearing a preference rating of AA-5 or higher.

(3) The limitations and restrictions of paragraphs (b) (1) and (b) (2) above shall not apply to (i) any order for, or delivery of oxy-acetylene apparatus or parts for the direct use of the Army, Navy, Maritime Commission or War Shipping Administration, or (ii) any order for, or delivery of parts for repair of oxy-acetylene apparatus which cannot be effectively operated without such repair parts.

(c) *Manufacturing and sales restrictions.* (1) *Material restrictions.* On and after May 25, 1943, no non-ferrous metals or stainless steel shall be used in the manufacture of the following parts or portions of manually operated oxy-acetylene apparatus:

- (i) Bonnet of regulator.
- (ii) Grip of adjusting screws and valves.
- (iii) Hose connection nut.
- (iv) Cylinder connecting nuts for regulators and adaptors.
- (v) Packing nut of needle valves.
- (vi) Lever or other actuating control of cutting oxygen.
- (vii) Name plates.
- (viii) Ferrules or clamps used on hose for sealing tight the hose connections.
- (ix) Torch handle casing of blowpipes or torches, except where such casing also serves as a conveyor of gas.
- (x) Cylinder adaptors for gases other than oxygen, except the section which conveys the gas.
- (xi) Handle for tip cleaning drills.

The provisions of this subparagraph shall not apply to (a) oxy-acetylene apparatus or parts designed and used for operation under water, or (b) to electroplating or coating of any of the above mentioned parts.

NOTE: Former paragraph (1) revoked; succeeding redesignated June 22, 1943.

(2) *Sales restrictions.* On and after March 6, 1943, no manufacturer or dealer shall sell any blow pipe or torch tips or hose connections as part of the blow pipe or torch; but shall sell such articles only as separate items of equipment bearing an independent sales price: *Provided, however,* That the provisions of this subparagraph shall not be construed to permit, justify or require any increase in the sales price of the equipment covered hereby.

(3) *Repair facilities for tips.* Any manufacturer who maintains facilities for, and performs the function of repairing oxy-acetylene apparatus, or part thereof, manufactured by him shall, upon request, repair any welding or cutting tips of his manufacture, except to the extent that his repair facilities are inadequate to fill the orders so received.

(d) *Purchase restrictions.* (1) No person located in the United States (excluding any possession or territory thereof) shall purchase any oxy-acetylene apparatus part which will increase his inventory thereof beyond an amount equal to that used by him for repair purposes during the preceding two calendar months.

(2) No person located in the United States (excluding any possession or territory thereof) shall purchase any oxy-acetylene apparatus as spare or standby equipment if and to the extent that the purchase will increase his stock thereof beyond one piece of spare apparatus for each ten pieces of like apparatus, or fraction thereof, in operation.

(e) *Production schedules.* Regardless of the terms of any other order or rule or regulation of the War Production Board, or of any contractual commitment by any manufacturer, purchaser or other person, the War Production Board may at any time (1) prescribe production and delivery schedules for any manufacturer, for any oxy-acetylene apparatus, or parts, for any periods of time, (2) direct the cancellation of any order held by any manufacturer, (3) allocate any undelivered order to any other manufacturer, or (4) direct the delivery of any oxy-acetylene apparatus or parts, whether in production or completed, to any other person, in accordance with prices and terms regularly established for sales by the supplying manufacturer to such a purchaser; and each manufacturer shall schedule and effect his production and make deliveries of oxy-acetylene apparatus and parts in accordance with any such directions of the War Production Board.

(f) *Miscellaneous provisions.* (1) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales.

All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time request.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(3) *Other limitation orders.* Where the limitations imposed by any other L or M Order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or fur-

nishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* An appeal from this order may be made either by the manufacturer or by the purchaser or proposed purchaser. Any such appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: L-268.

Issued this 22d day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10010; Filed, June 22, 1943;
11:56 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-304]

SPECIALTY BAGS (PAPER)

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of paper bags for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.28 Limitation Order L-304—

(a) *Definitions.* For the purposes of this order:

(1) "Specialty bag" means any paper bag designed for a producer's or distributor's use in packaging a particular product for shipment or sale, excluding, however, paper shipping sacks and grocers and variety bags made in accordance with the specifications of Schedule A of Order L-261 ("Grocers and Variety Bags"). This includes bags which are made by hand or by machine and bags which are printed or unprinted.

(2) "Bottle carry-out bag" means any specialty bag designed for packaging several bottles of beverages and fashioned with or without a handle.

(b) *Restrictions.* No person shall commercially manufacture any bottle carry-out bag.

(c) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref.: L-304.

(d) *Violations.* Any person who willfully violates any provision of this order,

or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 22d day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10013; Filed, June 22, 1943;
11:56 a. m.]

PART 3270—CONTAINERS

[Revocation of General Preference Order
M-45]

SHEET STEEL

Section 3270.13¹ General Preference
Order M-45 is hereby revoked.

Issued this 22d day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10012; Filed, June 22, 1943;
11:56 a. m.]

PART 3270—CONTAINERS

[Revocation of General Inventory Order
M-113²]

CORRUGATED AND SOLID-FIBRE BOXES, WIRE-
BOUND WOOD BOXES AND NAILED WOODEN
BOXES FOR CAN MANUFACTURERS AND CAN-
NERS

Section 3270.11² General Inventory
Order M-113 is hereby revoked.

Issued this 22nd day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10011; Filed, June 22, 1943;
11:56 a. m.]

PART 3279—GLYCOL ETHERS

[Allocation Order M-336]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of glycol ethers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3279.1 Allocation Order M-336—(a) Definitions. (1) "Glycol ethers" means the monobutyl ether of ethylene glycol or the monoethyl ether of diethylene glycol.

¹ Formerly Part 1016, § 1016.1.

² 7 F. R. 2277.

³ Formerly Part 1139, § 1139.1.

(2) "Producer" means any person engaged in the production of glycol ethers and includes any person who has glycol ethers produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys glycol ethers for resale without further processing.

(4) "Supplier" means a producer or distributor.

(b) Restrictions on deliveries. (1) On and after July 1, 1943, no supplier shall deliver glycol ethers to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of glycol ethers which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form PD-602 which is to be filed by the supplier with War Production Board as explained in paragraph (f) below.

(3) If a supplier is authorized or directed by War Production Board to deliver glycol ethers to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, he must immediately notify War Production Board, Chemicals Division, Washington, D. C., Ref: M-336, and shall not deliver to anyone else, or use, the glycol ethers until he received further instructions.

(c) Exceptions for small deliveries. (1) Specific authorization in writing by War Production Board shall not be required for the delivery by any supplier to any one person in any one calendar month of not more than 400 pounds of monobutyl ether of ethylene glycol or of not more than 460 pounds of monoethyl ether of diethylene glycol.

(2) Except as otherwise specifically authorized or directed in writing by War Production Board, no supplier shall in any calendar month deliver pursuant to paragraph (c) (1) hereof, an aggregate quantity of monobutyl ether of ethylene glycol or of monoethyl ether of diethylene glycol in excess of 5% of the total quantity of each of such materials which he has been specifically authorized or directed in writing to deliver during such month.

(d) Restrictions on use. (1) On and after July 1, 1943, no supplier shall use glycol ethers except as specifically authorized or directed in writing by War Production Board.

(2) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of glycol ethers to be delivered to, or then in the inventory of, the prospective user.

(e) Customer to furnish statement of use. Each person who wishes to obtain delivery in any calendar month of more than 400 pounds of monobutyl ether of ethylene glycol or more than 460 pounds

of monoethyl ether of diethylene glycol (whether for own consumption or for resale) shall file a statement with respect to the intended use thereof on or before the 20th day of the preceding month, except that the statement with respect to proposed receipts in July, 1943, need not be filed before June 28, 1943. Such statement shall be made on Form PD-600 in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix A to this order. If there is any inconsistency between the general and special instructions, the special instructions must be followed. War Production Board may issue to any person further and different instructions with respect to preparing and filing Form PD-600.

(f) Applications by suppliers. Each supplier requiring authorization to make delivery of, or to use, glycol ethers during any calendar month, beginning with August, 1943, shall file application on or before the 25th day of the preceding month. Applications respecting deliveries or use in July, 1943, shall be filed not later than June 28, 1943. In any case, the application shall be made on Form PD-602 in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix B to this order. If there is any inconsistency between the general and special instructions, the special instructions must be followed. War Production Board may issue further and different instructions to any supplier with respect to preparing and filing Form PD-602.

(g) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: "War Production Board, Chemicals Division, Washington, D. C., Ref: M-336".

Issued this 22nd day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—SPECIAL INSTRUCTIONS FOR CUSTOMERS' FORM PD-600

(1) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(2) Prepare an original and two copies. Forward original to War Production Board, Chemicals Division, Washington, D. C., Ref: M-336, forward one copy to the supplier with whom order is placed, and retain the second copy for your files.

(3) A customer who wishes to obtain delivery of both monobutyl ether of ethylene glycol and monoethyl ether of diethylene glycol must file a separate set of PD-600 with respect to each.

(4) In the heading under "Name of chemical", specify "Monobutyl ether of ethylene glycol" or "Monoethyl ether of diethylene glycol" as the case may be; under "WPB Order No.", specify "M-336"; under "Indicate unit of measure", specify "pounds".

(5) In the heading, at top of Table I, specify the month and year for which delivery is requested.

(6) Leave blank Columns 1 and 11.

(7) In Column 3 (Primary Product) applicant must specify in terms of the following, the product or products in the manufacture or preparation of which he will use glycol ethers:

Carburizing fluids.
Chemical manufacture (describe product).
Cosmetics.
Coupling agent (describe product).
General solvent (describe—example: marking ink, dyestuffs, lacquers, woodstain, other).
Hydraulic fluids.
Metal cleaners.
Metal cutting oils.
Textile oils.
Others (describe).

Resale (as monobutyl ether of ethylene glycol or monoethyl ether of diethylene glycol).

Inventory (as monobutyl ether of ethylene glycol or monoethyl ether of diethylene glycol).

(8) In Column 4 (Product End Use) applicant will specify with respect to each primary product, the ultimate use to which such primary product will be put in terms of the following: civilian, industrial, Lend-Lease, other export, and military, and if such product is to be used for uses falling in two or more such categories, the percentage falling in each. He will also indicate in the case of military use, contract and specification numbers.

(9) Applicant will fill out completely Table II.

(10) Tables III and IV will be left blank in their entirety.

(11) War Production Board may, for no other reason than the failure of a customer to file PD-600 in the manner herein indicated, refuse to authorize a supplier to make shipment to such customers.

APPENDIX B—SPECIAL INSTRUCTIONS FOR SUPPLIERS' FORM PD-602

(1) Copies of Form PD-602 may be obtained at local field offices of the War Production Board.

(2) Prepare an original and three copies. File the original and two copies with War Production Board, Chemicals Division, Washington, D. C., Ref: M-336, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) Where the supplier's application relates to deliveries of monobutyl ether of ethylene glycol and monoethyl ether of diethylene glycol, he will file a separate set of Form PD-602 for each.

(4) In the heading, under "Name of material", specify "Monobutyl ether of ethylene

glycol" or "Monoethyl ether of diethylene glycol", as the case may be; leave blank the space following "grade"; under "WPB Order No.", specify "M-336"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of measure" specify "Pounds"; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) In Column 1 (except for small orders as explained in (7) below) list names of customers from whom orders for delivery during the month to which the application relates have been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand total for all sheets on last sheet, which is the only one that need be certified.

(6) In Column 1-a (except for small orders as explained in (7) below), supplier will specify the product or products in the manufacture or preparation of which monobutyl ether of ethylene glycol or monoethyl ether of diethylene glycol will be used by his customer, as indicated in Column 3 of PD-600 filed with supplier by his customer pursuant to paragraph (f) hereof. The quantity of monobutyl ether of ethylene glycol or monoethyl ether of diethylene glycol used in the manufacture or preparation of each product for each product use shall be shown separately. If the monobutyl ether of ethylene glycol or monoethyl ether of diethylene glycol ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of monobutyl ether of ethylene glycol or monoethyl ether of diethylene glycol ordered for each use.

(7) It is not necessary to list the name of any customer to whom not more than 400 pounds of monobutyl ether of ethylene glycol or not more than 460 pounds of monoethyl ether of diethylene glycol is to be delivered in the applicable month, nor, in the case of any such delivery, the name of the product or the end use. Instead, supplier will write in Column 1 "Total small order deliveries (estimated)" and in Column 4, will specify the total estimated quantity so to be delivered.

(8) A producer requiring permission to use a part or all of his own production of monobutyl ether of ethylene glycol or monoethyl ether of diethylene glycol shall list his own name as customer in Column 1 on Form PD-602, specifying quantity required and produce manufactured. Written approval of War Production Board on such Form PD-602 shall constitute authority to the producer to use monobutyl ether of ethylene glycol or monoethyl ether of diethylene glycol in the quantity and for the purposes indicated in such approved form.

(9) Leave Column 6 blank.

(10) Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will leave Column 8 blank.

[F. R. Doc. 43-10015; Filed, June 22, 1943; 11:56 a. m.]

Chapter XI—Office of Price Administration

PART 1341—CANNED AND PRESERVED FOODS

[MPR 181, Amdt. 4]

NEW-FORMULA CONDENSED SOUPS PACKED UNDER WPB CONSERVATION ORDER M-81

A statement of the considerations involved in the issuance of this Amend-

*Copies may be obtained from the Office of Price Administration.

18 F.R. 2998.

ment No. 4 to Maximum Price Regulation No. 181 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 181 is amended in the following respect:

1. Section 1341.56 is hereby revoked.

This amendment shall become effective June 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9972; Filed, June 21, 1943; 3:09 p. m.]

PART 1370—ELECTRICAL APPLIANCES

[MPR 111, Amdt. 9]

NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 111 is amended to read as follows:

Subparagraph (1) of § 1370.12 (f) is amended to read as follows:

(1) Irrespective of the provisions of the preceding paragraphs of this section, the maximum price for the sale by any manufacturer or new household vacuum cleaners or attachments to the United States or any agency of the United States shall be the maximum price for sales to consumers set forth in this section, § 1370.12 (Appendix A) less a percentage discount as follows:

	Discount
For sales of 1 to 5 inclusive.....	20%
For sales of 6 to 24 inclusive.....	33 1/3%
For sales of 25 to 999 inclusive.....	40%
For sales of 1000 and over.....	53%

These discounts are to be applied on the basis of the amount specified in each order, except that for this purpose amounts which the order requires to be shipped to separate places or at separate times are to be treated as having been separately ordered.

This amendment shall become effective June 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9973; Filed, June 21, 1943; 3:08 p. m.]

PART 1392—PLASTICS

[MPR 263, Amdt. 4]

NEW PHONOGRAPH RECORDS AND RECORD SCRAP

A statement of the considerations involved in the issuance of this amend-

*7 F.R. 9191; 8 F.R. 165, 1812, 5631.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1392.52 is amended to read as follows:

§ 1392.52 *Prohibition against sales and purchases of record scrap in excess of maximum price.* No person shall sell or deliver and no person in the regular course of trade shall buy or receive record scrap at a price higher than the maximum price set forth below:

- 2½ cents for each 10-inch scrap record.
- 4 cents for each 12-inch scrap record.
- 6 cents per pound for record scrap in bulk.

The above prices are f. o. b. seller's point of shipment. The above prices may be increased by an amount not exceeding the sum of all transportation charges actually incurred in forwarding the scrap from a dealer to the seller.

The amendment shall become effective June 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9974; Filed, June 21, 1943;
3:08 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17, Admt. 23]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.17 is amended to read as follows:

SEC. 2.17. *Establishments may get increased inventory.* (a) Any establishment may apply for an adjustment of its inventory allowance. However, an establishment may not make a second application within six months except with the approval of the district office. Application should be made (on OPA Form R-1704) to the District Office serving the area in which the establishment is located and should contain all facts necessary to establish its need for extra shoes. In all cases the applicant shall submit with its application a copy of its original inventory (Form R-1701) and a statement showing the number of pairs of rationed shoes, if any, transferred by it to other establishments owned by the same person during the period from February 7 to April 10, 1943.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 1749, 2040, 2487, 2943, 3315, 3571, 3853, 4129, 3949, 4716, 5567, 5689, 5756, 5678, 5679, 5567, 6046, 6687, 7198, 7261, 8061, 8064.

(b) The district office may issue certificates to a distributing establishment for the extra shoes it needs if (1) it is unable to service its customers because its stock of shoes was greatly below normal when it filed its inventory, (2) the volume of its normal sales to other persons during the period since April 10, 1943 has increased to the extent that it cannot service its normal share of the customer demand in its area, or (3) the supply of ration currency is not sufficient to allow it to continue its normal business.

(c) In addition to or in lieu of an adjustment granted under the above paragraph, an establishment may be granted a temporary loan of ration currency when needed to enable it to pay ration debts incurred for shoes acquired during the period from February 7 to April 10, 1943, or to acquire a necessary working inventory where a substantial part of its inventory of rationed shoes consists of slow-moving merchandise, or in other cases authorized by the National Office. Also, an establishment may be granted an advance of ration currency to enable it to acquire shoes for export or transfer to an exempt person or agency, or to replenish a supply of shoes segregated for export or transfer to an exempt person of agency. Any ration currency issued pursuant to this paragraph shall be repaid to the district office within the period specified by the district office and in any event within six months from the date the currency is issued. The establishment may not deliver ration currency to any supplier after such period until it has repaid the ration currency loaned or advanced to it by the district office. In the case of an advance granted to enable an establishment to acquire shoes for lawful export or for lawful transfer to an exempt person or agency, for which ration currency is not received, the amount of the advance shall be deemed to be repaid to the extent of the number of pairs so exported or transferred upon the making of a full report thereof to the district office and the approval of the report.

(d) The district office may require any establishment receiving ration currency under this section to make subsequent reports to it concerning its transfers, receipts, or inventory of shoes and may adjust the applicant's inventory by requiring him to surrender ration currency for any supply of shoes or ration currency above his needs.

(e) The district office may deny any application by a person who has violated any provision of this order. The granting of any application under this section shall not be deemed to condone any violation of this order nor to waive the right to impose sanctions for such a violation.

This amendment shall become effective June 21, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.;

WPB Dir. 1, 7 F.R. 562, Supplementary Directive 1-T, 8 F.R. 1727, E.O. 9125, 7 F.R. 2719)

NOTE: These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9975; Filed, June 21, 1943;
3:07 p. m.]

PART 1443—BRASS MILL PRODUCTS AND SERVICES

[MPR 408]

DISTRIBUTORS' PRICES FOR BRASS MILL PRODUCTS AND SERVICES

In the judgment of the Price Administrator the prices of brass mill products sold through distributors have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended. The Price Administrator has ascertained and has given due consideration to the prices charged by distributors prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 408 (referred to as "this regulation") are and will be generally fair and equitable and will effect the purposes of the Act. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1443.1 *Maximum prices for sales of brass mill products or services by distributors.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 408 (Distributors' Prices for Brass Mill Products and Services), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1443.1 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 408—DISTRIBUTORS' PRICES FOR BRASS MILL PRODUCTS AND SERVICES

ARTICLE I—WHAT THIS REGULATION COVERS

Sec.

1. What persons are subject to this regulation.
2. What transactions are subject to this regulation.
3. Area covered by this regulation.
4. Relation to the General Maximum Price Regulation.

ARTICLE II—MAXIMUM PRICES

Sec.

5. Meaning of "mill list prices".
6. Maximum prices for direct mill shipments.
7. Maximum prices for warehouse shipments of pipe or water tube.
8. Maximum prices for warehouse shipments—general.
9. Maximum prices for services performed by distributors.
10. Terms of sale.
11. Export sales.

ARTICLE III—PROHIBITIONS AND ENFORCEMENT

12. Prohibited sales, deliveries and services.
13. Prohibited evasive practices.
14. Less-than-maximum prices permitted.
15. Licensing of distributors.
16. Enforcement.

ARTICLE IV—MISCELLANEOUS

17. Records and reports.
18. Adjustable pricing.
19. Transfer of business or stock in trade.
20. Amendment of this regulation.
21. Definitions.

Article I—What This Regulation Covers

SECTION 1. *What persons are subject to this regulation.* This regulation covers distributors and the persons who buy brass mill products from them or receive services from them in connection with brass mill products. "Distributor" means any person whose business includes the purchase and resale of brass mill products in substantially the same form, or the rendering of services in connection with those products, including, among other services, slitting, shearing, cutting to size, crating and special packaging. Warehouses owned or operated by brass mills are included as distributors.

SEC. 2. *What transactions are subject to this regulation.* (a) This regulation applies to all sales or deliveries of brass mill products by distributors and to all services rendered by distributors.

(b) "Brass mill product" means any new plate, sheet, strip, roll, coil, rod, bar, tube, tubing pipe, extrusion, anode, or other shape made from copper or copper base alloy and listed in the price catalog of any of the brass mills referred to in section 5 below, or any non-electrical wire made from copper base alloy; it does not include any rod, coil, wire or other shape for which a maximum price applicable to sales by distributors is established by Revised Price Schedule No. 82—Wire, Cable and Cable Accessories.¹

(c) "Copper base alloy" means any alloy in which the percentage of copper by weight is equal to or is more than 40% of the total weight of the alloy.

(d) The services covered by this regulation include, among other services, slitting, shearing, cutting to size, crating and special packaging.

SEC. 3. *Area covered by this regulation.* This regulation applies to the forty-eight states of the United States and to the District of Columbia.

SEC. 4. *Relation to the General Maximum Price Regulation.* This regulation supersedes the General Maximum Price Regulation as to sales or deliveries that are covered by this regulation.

Article II—Maximum Prices

SEC. 5. *Meaning of "mill list prices."* "Mill list prices" mean the prices of brass mill products to consumers, calculated by using the base prices and schedules of extras and discounts for quantity, size, shape, alloy, and finish, and for other operations listed in the price catalogs of American Brass Company, Bridgeport Brass Company, Chase Brass & Copper Company, Inc., Revere Copper & Brass, Inc., and Scovill Manufacturing Company, or of any one of them.

SEC. 6. *Maximum prices for direct mill shipments.* On a direct mill shipment the distributor's maximum price shall be the then current mill list price. "Direct mill shipment" means a sale or delivery where shipment is made directly from the mill to the customer of the distributor.

SEC. 7. *Maximum prices for warehouse shipments of pipe or water tube.* On a warehouse shipment of pipe or water tube by a distributor the maximum price shall be the then current mill list price less the discounts from list price applicable to consumers, as stated in the current mill price catalogs. "Warehouse shipment" means a sale or delivery where the buyer's order is filled from the distributor's inventory.

SEC. 8. *Maximum prices for warehouse shipments; general—(a) Meaning of terms.* When used in this section the term:

(1) "Warehouse shipment" means (as in the preceding section) a sale or delivery where the buyer's order is filled from the distributor's inventory.

(2) The word "price" in the phrase, "had a price" means the price at which a product was sold or delivered or at which a service was supplied or contracted for, during the period referred to; if there was no such sale, delivery, supplying of service or contracting for such service during the period, then the word means the price at which the product or service was offered in writing by the distributor, or was listed in a published price list of the distributor, during the period.

(b) *Maximum prices.* On all warehouse shipments of brass mill products other than pipe and water tube, by distributors, the maximum price shall be figured by applying the appropriate rule of the four rules set out below in this paragraph, but in no case shall the maximum price be higher than 3¢ per pound above mill list price for the same quantity of that product on the first day of the month preceding the current pricing:

RULE 1. *Where the distributor had a price² during October, 1941 for the same product in the same mill list price quantity class,* the maximum price shall be the mill list price on the first day of the month preceding the current pricing, for the same product in the

same mill list price quantity class plus the highest differential, if any, above mill list price, included in the price that the distributor had² during October, 1941, for the same product in the same mill list price quantity class.

RULE 2. *Where the distributor had a price² during October, 1941 for the same product but not in the same mill list price quantity class,* the maximum price shall be the mill list price on the first day of the month preceding the current pricing, for the same quantity of the same product, plus the highest differential, if any, above mill list price included in the price that the distributor had² during October, 1941 for the nearest quantity of the same product.

RULE 3. *Where the distributor did not have a price² for the same product during October, 1941,* the maximum price shall be the mill list price on the first day of the month preceding the current pricing, for the same quantity of the same product, plus the highest differential, if any, above mill list price included in the price that the distributor had² during October, 1941 for the nearest quantity of a product of the same alloy or of a different alloy in the same shape.

Examples (prices are exclusive of size and other extras):

RULE 1. Distributor sells 1000 pounds of Naval brass sheet, ½ inch thick, on July 15, 1943. His list price in October 1941 for the same sheet in the same quantity was 26¢ per pound. Mill list price in October 1941 for the same sheet in the same quantity was 25¢ per pound. Distributor's differential in October 1941 was thus 1¢ per pound. Mill list price on June 1, 1943 (first day of month preceding the current sale) was 20¢ per pound. Distributors maximum price is thus 20¢ plus 1¢ or 21¢ per pound.

Example:

RULE 2. Distributor sells 500 pounds of Naval brass sheet of less than ½ inch thickness on July 15, 1943. This quantity was not listed or dealt in by the distributor in October, 1941. However, the distributor's price sheet in October, 1941 listed a 300 pound quantity of this product, which was the nearest quantity of the same product. The mill list price on such a quantity in October, 1941 was 27½¢ per pound and the distributor added a 1¢ differential, making a price of 28½¢ per pound. Distributor is now entitled to add this 1¢ per pound differential to the mill list price on June 1, 1943 (first day of the month preceding the date of the current sale). This mill list price is 26¢ per pound. The maximum price that the distributor may now charge is thus 27¢ per pound.

Example:

RULE 3. Distributor sells 300 pounds of Muntz metal sheets on July 15, 1943. No sheets of such metal were dealt in or listed by the distributor in October of 1941. However, in October, 1941, distributor listed 250 pounds of Naval brass sheet of less than ½ inch thickness, which was the nearest quantity of the same shape. On the October, 1941 order he charged a ½¢ per pound differential above mill list price. Distributor may now add this differential to the mill list price of Muntz metal sheet, which was 25¼¢ per pound on June 1, 1943, the first day of the month preceding this current sale. Maximum price which the distributor may charge is therefore 26¼¢ per pound.

RULE 4. (1) Whenever a distributor's maximum price is not provided by Rules 1, 2, or 3, he shall figure the price at which he expects to sell or deliver by applying the pricing method used by him for figuring the maximum price of the most nearly compara-

²For what is meant by "had a price" see section 8 (a) (2).

¹7 F.R. 1358, 2133, 7034, 8948; 8 F.R. 5810.

ble product, and shall then file such price for approval as his maximum price. Such price shall be filed within 15 days after the first sale after the effective date of this regulation, by letter addressed to the Non-Ferrous Metals Branch, Office of Price Administration, Washington, D. C. Included with such filing of price, the distributor shall set forth (i) a full description of the product, (ii) a statement as to why Rules 1, 2, and 3 cannot be applied, and (iii) an explanation of how the proposed price was figured.

(2) Pending approval or disapproval of a price filed under this Rule 4, and for 15 days before such filing, the price reported may be paid and received subject to adjustment between the parties if it is disapproved. A price once reported and approved need not thereafter be reported by the same distributor.

(3) The price reported may be approved or disapproved by a letter signed by the Price Executive of the Non-Ferrous Metals Branch. Where a price is disapproved by letter, the Price Administrator will issue a formal order to the same effect if, within thirty days, he is requested in writing to do so. It is necessary that such formal order be entered if the distributor reporting a price which is disapproved wishes to file a formal protest under Revised Procedural Regulation No. 1² issued by the Office of Price Administration, which provides a basis for an appeal to the United States Emergency Court of Appeals.

(4) A price filed in accordance with this Rule 4 shall be considered approved unless it is disapproved within 30 days from the date on which it is received by the Office of Price Administration, or, if additional information is requested, then within 30 days from the date on which all such information is received. However, at any time after any such 30 day period, the Price Executive of the Non-Ferrous Metals Branch may disapprove the maximum price so established, by letter as provided in subdivision (3) above; such disapproval shall take effect seven days after the mailing of such notice of disapproval and shall apply to all sales or deliveries on or after the effective date of such notice regardless of then existing contracts.

SEC. 9. Maximum prices for services performed by distributors. The maximum price for services performed by distributors shall be:

(a) The highest prices that the distributor had,³ during October, 1941, for the same service.

(b) If the distributor did not have³ a price for the same service during the period, then the maximum price shall be figured by applying the pricing method used by the distributor for figuring the price of the most nearly comparable service during the period.

SEC. 10. Terms of sale. (a) Distributors shall use the terms of sale in effect during October, 1941, under the same or most nearly comparable circumstances.

(b) "Terms of sale," as used in this section, include cash discounts, credit terms, allowances or non-allowances due to taxes, methods of billing and payment practices.

SEC. 11. Export sales. The maximum price at which a distributor may export a brass mill product shall be figured in accordance with the provisions of the Second Revised Maximum Export Price

Regulation⁴ issued by the Office of Price Administration.

Article III—Prohibitions and Enforcement

SEC. 12. Prohibited sales, deliveries and services. On and after the effective date of this regulation, regardless of any contract, agreement or other obligation:

(a) No distributor shall sell or deliver any brass mill product or supply any service referred to in this regulation at a price higher than the maximum price permitted by this regulation.

(b) No person in the course of trade or business shall buy or receive any of the above products or services from a distributor at a price higher than the maximum price established by this regulation. However, if the buyer or receiver of the brass mill product or service obtains from the distributor a written statement or letter signed by the distributor or a responsible official of the distributor, that to the best of the distributor's information and belief the price charged is not higher than the maximum price established by this regulation, and if in such case the buyer or receiver has no knowledge of the maximum price and no reason to doubt the accuracy of the statement or letter, the buyer or receiver will be considered to have complied with this requirement. This requirement may be met in the case of more than one sale or supplying of service if:

(1) The buyer or receiver of the product or service obtains a written statement or letter signed by the distributor or a responsible official of the distributor to the effect that the prices on all invoices to be issued will not be higher than the applicable maximum prices permitted by this regulation and that the distributor's method of calculating prices has been so established as to obtain this result, and

(2) The distributor stamps an appropriate statement on each invoice or bill

(c) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in paragraphs (a) or (b) of this section.

SEC. 13. Prohibited evasive practices. Any practice which is a device to obtain the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

SEC. 14. Less-than-maximum prices permitted. Lower prices than those fixed as maximum prices by this regulation may be charged, demanded, paid or offered.

SEC. 15. Licensing.—(a) *License required.* A license as a condition of selling, delivering or performing services is required of every person selling or de-

livering brass mill products or performing services for which a maximum price is established by this regulation. No person whose license is suspended in proceedings under § 205 (f) (2) of the Emergency Price Control Act of 1942 shall, during the period of suspension, sell any commodities, make any deliveries or perform any services as to which his license to sell is suspended.

(b) *License granted.* Every person selling or delivering brass mill products or performing services for which a maximum price is established by this regulation is granted a license as a condition of selling or delivering any such product or performing any such service. The provisions of this regulation shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of this regulation or when any such person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, remain in effect as long as this regulation, or any applicable part, amendment, or supplement remains in effect.

SEC. 16. Enforcement. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

Article IV—Miscellaneous

SEC. 17. Records and reports. (a) Every distributor making a sale of brass mill products or supplying a service in connection with such products and every person making a purchase of brass mill products or receiving a service from a distributor in connection with such products in the course of trade or business, shall keep available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act, as amended, or any applicable part, amendment or supplement remains in effect:

(1) Complete and accurate records of each sale or service, showing (i) the date of the sale or supplying of service, (ii) the name and address of the other party to the transaction, (iii) the description and quantity of the subject matter of the transaction, and (iv) the net price received or paid after adjustment for all extra charges, discounts, or other allowances, and

(2) All available records concerning sales and services, including costs, for the period after October 31, 1940.

(b) Persons referred to in paragraph (a) of this section shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, keep such other records and submit such other reports to the Office of Price Administration as the Office of Price Administration may from time to time require or permit, either in addi-

² See note 2, p. 8602.

³ 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

⁴ 8 F.R. 4132, 5987, 7662.

tion to or in substitution for records and reports required by this regulation.

SEC. 18. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 19. *Transfer of business or stock in trade.* If the business assets or stock in trade of any distributor were or are sold or otherwise transferred after October 31, 1941, and the transferee carries on the business, or continues to act as a distributor in the same competitive area and in an establishment separate from any other establishment previously owned or operated by the transferee, the transferee shall be subject to the same maximum prices as those to which the transferor would have been subject if no such transfer had taken place, and the transferee's obligation to keep records sufficient to verify such prices shall be the same as that of the transferor. The transferor in such cases shall either preserve and make available, or turn over to the transferee all records of transactions that are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 20. *Amendment of this regulation.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 21. *Definitions.* (a) When used in this regulation the term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

Effective Date

This regulation shall become effective July 19, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9976; Filed, June 21, 1943;
3:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR,¹ Amdt. 188]

FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation 14 to the General Maximum Price Regulation is amended in the following respects:

1. In § 1499.73 (a) (1) (vii) the third undesignated paragraph which begins with the words "Specific exception," is amended to read as follows:

This subdivision fixes adjusted maximum prices for sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises.

2. Section 1499.73 (a) (1) (vii) (a) is amended to read as follows:

(a) *Maximum prices for sales other than Army or Navy sales.* The maximum prices set forth below are the maximum prices for approved fluid milk sold and delivered to persons other than the Army or Navy in the respective size and type containers set forth, in the areas specified, before application of the seller's customary allowances, discounts, or other price differentials, which customary allowances, discounts, or other price differentials must be maintained in accordance with the provisions of § 1499.2 general provisions of the General Maximum Price Regulation.

(1) *Mississippi.* The maximum price for approved fluid milk sold and deliv-

ered by any person at wholesale or retail in glass and paper containers of one quart or less in Mississippi shall be a price determined either under Pricing Method No. 1 or Pricing Method No. 2 set forth below. (Any seller may choose either Pricing Method No. 1 or Pricing Method No. 2, but may not use both methods.) However, any person entering the business of selling approved fluid milk at wholesale or retail after March 5, 1943 shall be limited to Pricing Method No. 2. A person taking over an established business shall be subject to the same maximum prices as his transferor, in accordance with § 1499.5 general provisions of the General Maximum Price Regulation.

(i) *Pricing Method No. 1 [Mississippi].* The maximum prices established by the seller under the General Maximum Price Regulation [if such seller has, prior to March 6, 1943, established such maximum price] or the following prices, whichever are lower:

[In cents]

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	14	15	8	9	4	5
Retail out-of-store.....	16	17				
Retail home-delivered.....	16	17				

$\frac{1}{2}$ quart container sizes. The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 general provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Provided, That any seller electing to use Pricing Method No. 1, set forth above, shall on or before March 16, 1943, report such election and the price so determined

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962.

to the Mississippi State Office of the Office of Price Administration, Tower Building, Jackson, Mississippi. [This report should be in letter form—no specific form being required.]

(ii) *Pricing Method No. 2* [Mississippi].

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	13	14	7	8	3½	4¼
Retail out-of-store.....	15	16	---	---	---	---
Retail home-delivered.....	15	16	---	---	---	---

Except. That no seller may establish an adjusted retail price under Pricing Method No. 2 which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price, under this pricing method, of not more than 14¢.

Except. That the seller's adjusted wholesale price under Pricing Method No. 2, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the Pricing Method No. 2.

Example. The wholesale price for glass quart container sizes shall be 12¢ a quart to retailers whose adjusted retail price is 14¢ a quart under Pricing Method No. 2.

½ quart container sizes. The seller shall adjust the maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(2) *Georgia.* (i) The maximum price for approved fluid milk sold and delivered in glass and paper containers of one

quart or less in the State of Georgia [with the exception of those counties set forth in subdivision (ii) below] by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	14	15	8	9	4	5
Retail out-of-store.....	16	17	---	---	---	---
Retail home-delivered.....	16	17	---	---	---	---

Except. That no seller may establish an adjusted retail price under the above pricing method [Georgia] which exceeds the maximum retail price established under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 12¢ a quart to retailers whose adjusted retail price is 14¢ a quart as determined under the pricing method provided herein.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Counties in Georgia not covered above.* Except as set forth below, the maximum prices for the sale of approved fluid milk in the following counties shall be the established maximum prices under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties:

Bartow
Ben Hill
Bryan
Camden
Chatham
Cobb
DeKalb
Fulton

Glynn
Gordon
Liberty
McIntosh
Monroe
Stephens
Troup

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises: The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

(3) *Alabama—(i) Zone I—Alabama.* Zone I shall include the following counties in Alabama:

Baldwin
Bibb
Blount
Calhoun
Chambers
Cherokee
Clay
Cleburne
Colbert
Cullman
DeKalb
Escambia
Etowah
Fayette
Franklin
Houston
Jackson

Lamar
Lauderdale
Lawrence
Limestone
Madison
Marion
Marshall
Morgan
Pickens
Randolph
Saint Clair
Shelby
Talladega
Tuscaloosa
Walker
Winston

The maximum price for approved fluid milk sold and delivered in glass and paper containers by any person at wholesale or retail in Zone I of Alabama shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	14	15	8	9	4	5
Retail out-of-store.....	16	17	---	---	---	---
Retail home-delivered.....	16	17	---	---	---	---

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price under the General Maximum Price Regulation of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 12¢ a quart to retailers whose adjusted retail price is 14¢ a quart as determined under the pricing method provided herein.

$\frac{1}{2}$ quart container sizes. The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Zone II—Alabama.* Zone II shall include the following counties in Alabama:

Autauga	Geneva
Barbour	Greene
Bullock	Hale
Butler	Henry
Chilton	Lowndes
Choctaw	Macon
Clarke	Marion
Coffee	Monroe
Conecuh	Montgomery
Coosa	Perry
Covington	Pike
Orenshaw	Sumter
Dale	Tallapoosa
Dallas	Washington
Elmore	Wilcox

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone II—Alabama—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	13	14	7	8	3½	4¼
Retail out-of-store.....	15	16				
Retail home-delivered.....	15	16				

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General Provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

chaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 10¢ a quart to retailers whose adjusted retail price is 12¢ a quart as determined under the pricing method provided herein.

$\frac{1}{2}$ quart container sizes. The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iii) *Zone III—Alabama.* Zone III shall include the following counties in Alabama:

Jefferson Lee Mobile Russell

Except as set forth below, the maximum prices for the sale of approved fluid milk in Zone III—Alabama—shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

(4) *Virginia—(i) Zone I—Virginia—[Except the municipality of Blackstone, and Suffolk.]* Zone I shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties [excepting the municipality of Blackstone, Nottoway County, and Suffolk] in Virginia:

Amelia	Nansemond
Brunswick	Nottoway
Greensville	Southampton
Isle of Wight	Sussex
Lunenburg	Surry

The maximum price for approved fluid milk sold and delivered in glass and pa-

per containers in Zone I—Virginia—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	15	16	8	9	4½	5¼
Retail out-of-store.....	17	18				
Retail home-delivered.....	17	18				

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 12¢ a quart to retailers whose adjusted retail price is 14¢ a quart as determined under the pricing method provided herein.

$\frac{1}{2}$ quart container sizes. The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum price for retail sales other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Municipality of Blackstone, Nottoway County. Except as set forth below the maximum prices for the sale of approved fluid milk in the municipality of Blackstone, Nottoway County, shall be the established maximum prices as determined under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such municipality.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use

his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

SUFFOLK
[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	16	17	8	9	4½	5¼
Retail out-of-store.....	17	18	.....	.....	.....	.....
Retail home-delivered.....	17	18	.....	.....	.....	.....

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulations by more than 2¢ per quart.

Example. A retailer having an established glass container price of 13¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 15¢ per quart.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

"Suffolk" (Zone I—Virginia) means the municipality of Suffolk together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the Suffolk Market, Effective June 1, 1935, as Amended."

(ii) **Zone II—Virginia** [except Richmond, South Boston, Halifax, and Danville]. Zone II shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties in Virginia, excepting, however, the Matoaca District of Chesterfield County which is included in Zone IV and

Richmond, South Boston, Halifax, and Danville:

Albemarle	King William
Buckingham	Lancaster
Caroline	Loudoun
Charles City	Louisa
Charlotte	Madison
Chesterfield [all districts except Matoaca]	Mecklenburg
Culpeper	Middlesex
Cumberland	Nelson
Essex	New Kent
Fauquier	Northumberland
Fluvanna	Orange
Goochland	Pittsylvania
Greene	Powhatan
Halifax	Prince Edward
Hanover	Prince William
Henrico	Rappahannock
King and Queen	Richmond
King George	Spotsylvania
	Stafford
	Westmoreland

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone II—Virginia—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	14	15	8	9	4	5
Retail out-of-store.....	15	17	.....	.....	.....	.....
Retail home-delivered.....	16	17	.....	.....	.....	.....

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulations by more than 2¢ per quart.

Example. A retailer having an established glass container price of 12¢ per quart, may put into effect an adjusted maximum retail price under this pricing method of not more than 14¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 12¢ a quart to retailers whose adjusted retail price is 14¢ a quart as determined under the pricing method provided herein.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

SOUTH BOSTON, HALIFAX, AND DANVILLE
[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	15	16	8	9	4	5
Retail out-of-store.....	16	17	.....	.....	.....	.....
Retail home-delivered.....	16	17	.....	.....	.....	.....

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 12¢.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum price for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

"South Boston" (Zone II—Virginia) means the municipality of South Boston together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the South Boston-Halifax Milk Market, Effective October 1, 1936, as amended."

"Halifax" (Zone II—Virginia) means the municipality of Halifax together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the South Boston-Halifax

Milk Market, effective October 1, 1936, as amended."

"Danville" (Zone II—Virginia) means the municipality of Danville together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the Danville Milk Market, effective July 1, 1934, as amended."

RICHMOND

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	15	16	9	10	4½	5½
Retail out-of-store.....	16	17	---	---	---	---
Retail home-delivered.....	16	17	---	---	---	---

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 14¢.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum price for retail sales, other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

"Richmond" (Zone II, Virginia) means the municipality of Richmond and that suburban territory included within a radius of 20 miles from the City Hall of the City of Richmond, but shall not include any part of the territory included within Zone IV—Virginia, as defined in § 1499.73 (a) (1) (vii) (a) (4) (v) hereof.

(iii) *Zone III—Virginia [except Lynchburg, Covington, Clifton Forge, and Altavista].* Zone III shall include the following counties, together with all cities, towns and municipalities located within the geographical boundaries of such counties, excepting, however,

Lynchburg, Covington, Clifton Forge, and Altavista, in Virginia:

Alleghany	Giles
Amherst	Grayson
Appomattox	Henry
Bedford	Lee
Bland	Patrick
Botetourt	Rockbridge
Buchanan	Russell
Campbell	Smyth
Carroll	Scott
Craig	Tazewell
Dickenson	Washington
Floyd	Wise
Franklin	Wythe

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone III—Virginia—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	13	14	7	8	3½	4½
Retail out-of-store.....	15	16	---	---	---	---
Retail home-delivered.....	15	16	---	---	---	---

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 14¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 12¢ a quart to retailers whose adjusted retail price is 14¢ a quart as determined under the pricing method provided herein.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than (A) out-of-store sales, (B) home-deliveries, (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the

listed wholesale prices, subject to any applicable discounts or allowances.

LYNCHBURG, COVINGTON, CLIFTON FORGE, AND ALTAVISTA

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	14	15	7	8	3½	4½
Retail out-of-store.....	15	16	---	---	---	---
Retail home-delivered.....	15	16	---	---	---	---

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 14¢.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

"Lynchburg" (Zone III—Virginia) means the municipality of Lynchburg together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the Lynchburg Milk Market, effective July 26, 1934, as amended."

"Covington" (Zone III—Virginia) means the municipality of Covington together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the Covington-Clifton Forge Milk Market, effective June 16, 1935, as amended."

"Clifton Forge" (Zone III—Virginia) means the municipality of Clifton Forge together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the Covington-Clifton Forge Milk Market, effective June 16, 1935, as amended."

"Altavista" (Zone III—Virginia) means the municipality of Altavista together with the surrounding area as defined by the Com-

monwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the Altavista Milk Market, effective July 1, 1935, as amended."

(iv) *Zone IIIa—Virginia.* Zone IIIa shall include Roanoke County.

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone IIIa—Virginia—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	13	14	8	9	4½	5¼
Retail out-of-store.....	15	16	-----	-----	-----	-----
Retail home-delivered.....	15	16	-----	-----	-----	-----

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 14¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 12¢ a quart to retailers whose adjusted retail price is 14¢ a quart as determined under the pricing method provided herein.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(v) *Zone IV—Virginia.* Zone IV shall include Dinwiddie County, the Mato-

aca District of Chesterfield County and Prince George County in Virginia.

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone IV—Virginia—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	15	16	9	10	5	6
Retail out-of-store.....	17	18	-----	-----	-----	-----
Retail home-delivered.....	17	18	-----	-----	-----	-----

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 14¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 16¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 14¢ a quart to retailers whose adjusted retail price is 16¢ a quart as determined under the pricing method provided herein.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(vi) *Zone V—Virginia [Except Staunton, Waynesboro, and Harrisonburg.]* Zone V shall include the following counties, together with all cities, towns, and

municipalities located within the geographical boundaries of such counties in Virginia, excepting, however, Staunton, Waynesboro, and Harrisonburg.

Augusta
Bath
Clarke
Frederick
Highland

Page
Rockingham
Shenandoah
Warren

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone V—Virginia—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	12	13	7	8	3½	4½
Retail out-of-store.....	14	15	-----	-----	-----	-----
Retail home-delivered.....	14	15	-----	-----	-----	-----

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 12¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 10¢ a quart to retailers whose adjusted retail price is 12¢ a quart as determined under the pricing method provided herein.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price as paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains,

cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

STAUNTON, WAYNESBORO, AND
HARRISONBURG
[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	13	14	7	8	3½	4½
Retail out-of-store.....	14	15	---	---	---	---
Retail home-delivered.....	14	15	---	---	---	---

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds his maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 11¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 13¢.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

"Staunton" (Zone V—Virginia) means the municipality of Staunton together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the Staunton-Waynesboro Milk Market, effective July 22, 1934, as amended."

"Waynesboro" (Zone V—Virginia) means the municipality of Waynesboro together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rule and Regulations for the Supervision and Control of the Staunton-Waynesboro Milk Market, effective July 22, 1934, as amended."

"Harrisonburg" (Zone V—Virginia) means the municipality of Harrisonburg together with the surrounding area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations

for the Supervision and Control of the Harrisonburg Milk Market, effective July 1, 1934, as amended."

(vii) Zone VI—Virginia. Zone VI shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties, together with that portion of Fairfax County included in the Arlington-Alexandria Sales area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the Arlington-Alexandria Market" effective July 1, 1937, as amended," in Virginia:

Accomac	Norfolk
Arlington	North Hampton
Elizabeth City	Princess Anne
Gloucester	Pulaski
James City	Warwick
Mathews	York
Montgomery	

Except as set forth below, the maximum prices for the sale of approved fluid milk in Zone VI—Virginia—shall be the established maximum prices as determined under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

(viii) Zone VII—Virginia. Zone VII shall include Fairfax County, except that part of Fairfax County included in the Arlington-Alexandria Sales area as defined by the Commonwealth of Virginia State Milk Commission in its "Rules and Regulations for the Supervision and Control of the Arlington-Alexandria Market, effective July 1, 1937, as amended," which is included in Zone VI—Virginia.

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone VII—Virginia—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	12	13	7½	8½	3¾	4¾
Retail out-of-store.....	14	15	---	---	---	---
Retail home-delivered.....	14	15	---	---	---	---

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General

provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 11¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 13¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes, shall be 11¢ a quart to retailers whose adjusted retail price is 13¢ a quart as determined under the pricing method provided herein.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(5) North Carolina—(i) Zone I—North Carolina. Zone I shall include the following counties in North Carolina:

Beaufort	Lenoir
Brunswick	New Hanover
Carteret	Onslow
Craven	Pamlico
Dare	Pender
Hyde	Tyrell
Jones	Washington

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone I—North Carolina—by any person at wholesale or retail shall be a price determined under either Pricing Method No. 1 or Pricing Method No. 2, as set forth below. [Any seller may choose either Pricing Method No. 1 or Pricing Method No. 2, but may not use both methods.] However, any person entering the business of selling approved fluid milk at wholesale or retail after March 5, 1943, shall be limited to Pricing Method No. 2. A person taking over an established business shall be subject to the same maximum prices as his transferor, in accordance with § 1499.5 General provision of the General Maximum Price Regulation.

(A) *Pricing Method No. 1 (Zone I—North Carolina)*. The maximum prices established by the seller under the General Maximum Price Regulation [if such seller has, prior to March 6, 1943, established such maximum prices] or the following prices, whichever are lower:

	[In cents]					
	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	16	17	9	10	4½	5½
Retail out-of-store.....	18	19				
Retail home-delivered.....	18	19				

Provided. That any seller electing to use Pricing Method No. 1 as set forth above, shall on or before March 16, 1943, report such election and the price so determined to the North Carolina State Office of the Office of Price Administration, Post Office Box No. 2718, Raleigh, North Carolina. [This report should be in letter form—no specific form being required.]

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(B) *Pricing Method No. 2 (Zone I—North Carolina)*.

	[In cents]					
	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	15	16	8	9	4¼	5¼
Retail out-of-store.....	17	18				
Retail home-delivered.....	17	18				

Except. That no seller whose established maximum retail price under the General Maximum Price Regulation is 15¢ or more per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 1¢ per quart. No retailer

whose established maximum retail price under the General Maximum Price Regulation is 14¢ or less per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 2¢ per quart.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Zone II—North Carolina*. Zone II shall include the following counties in North Carolina:

Alamance	Lee
Anson	Martin
Bladen	Mecklenburg
Bertie	Montgomery
Cabarrus	Moore
Camden	Nash
Caswell	Northampton
Chatham	Orange
Chowan	Pasquotank
Columbus	Perquimans
Cumberland	Pitt
Currituck	Person
Davidson	Randolph
Duplin	Robeson
Durham	Rockingham
Edgecombe	Richmond
Forsyth	Rowan
Franklin	Stanly
Gaston	Sampson
Gates	Scotland
Granville	Union
Greene	Vance
Guilford	Warren
Hertford	Wake
Hoke	Wayne
Johnston	Wilson

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone II [North Carolina] by any person at wholesale or retail shall be:

	[In cents]					
	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	15	16	8	9	4¼	5¼
Retail out-of-store.....	17	18				
Retail home-delivered.....	17	18				

Except. That no seller whose established maximum retail price under the General Maximum Price Regulation is 15¢ or more per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 1¢ per quart. No retailer whose established maximum retail price under the General Maximum Price Regulation is 14¢ or less per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 2¢ per quart.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iii) *Zone III—North Carolina*. Zone III shall include the following counties in North Carolina:

Alexander	Jackson
Alleghany	Lincoln
Ashe	McDowell
Avery	Macon
Buncombe	Madison
Burke	Mitchell
Caldwell	Polk
Catawba	Rutherford
Cherokee	Stokes
Clay	Surry
Cleveland	Swain
Davie	Transylvania
Graham	Watauga
Haywood	Wilkes
Henderson	Yadkin
Iredell	Yancy

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone III—North Carolina—by any person at wholesale or retail shall be:

	[In cents]					
	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	14	15	8	9	4	5
Retail out-of-store.....	16	17				
Retail home-delivered.....	16	17				

Except. That no seller may establish an adjusted retail price under this pricing

method which exceeds his maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 12¢ a quart to retailers whose adjusted retail price is 14¢ a quart as determined under the pricing method provided herein.

$\frac{1}{2}$ quart container sizes. The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iv) *Zone IV—North Carolina.* Zone IV shall include the following counties in North Carolina:

Halifax Harnett

Except as set forth below, the maximum prices for the sale of approved fluid milk in Zone IV shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

(6) *Tennessee—(i)—Zone I—Tennessee.* Zone I shall include the following counties in Tennessee:

Anderson Cocke
Blount Coffee
Campbell Franklin
Carter Giles
Claiborne Grainger

Greene
Hamblen
Hamilton
Hancock
Hawkins
Jefferson
Johnson
Knox
Lawrence
Lincoln
Loudon
McMinn
Marion

Meigs
Monroe
Polk
Rhea
Roane
Scott
Sequatchie
Sevier
Sullivan
Union
Washington
Wayne

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone I—Tennessee—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	13	14	7	8	3½	4½
Retail out-of-store.....	15	16	---	---	---	---
Retail home-delivered.....	15	16	---	---	---	---

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢ per quart.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 10¢ a quart to retailers whose adjusted retail price is 12¢ a quart as determined under the pricing method provided herein.

$\frac{1}{2}$ quart container sizes. The seller shall adjust his maximum price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than, (A) out-of-store sales, (B) home-deliveries, and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal

the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Zone II—Tennessee.* Zone II shall include the following counties in Tennessee:

Bedford	Lauderdale
Benton	Lewis
Bledsoe	McNairy
Cannon	Macon
Carroll	Madison
Cheatham	Marshall
Chester	Maury
Clay	Montgomery
Crockett	Moore
Cumberland	Morgan
Davidson	Obion
Decatur	Overton
De Kalb	Perry
Dickson	Pickett
Dyer	Putnam
Fayette	Robertson
Fentress	Rutherford
Gibson	Smith
Grundy	Stewart
Hardeman	Sumner
Hardin	Tipton
Haywood	Trousdale
Henderson	Van Buren
Henry	Warren
Hickman	Weakley
Houston	White
Humphreys	Williamson
Jackson	Wilson
Lake	

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone II—Tennessee—by any person at wholesale or retail shall be:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	12	13	7	8	3½	4½
Retail out-of-store.....	14	15	---	---	---	---
Retail home-delivered.....	14	15	---	---	---	---

Except. That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example. A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 10¢ a quart to retailers whose adjusted retail price is 12¢ a

² *Shelby County.* Maximum wholesale and retail prices for fluid milk and for bulk sales to stores, hotels, restaurants, and institutions in Shelby County, Tennessee are set forth in subdivision (p) of subdivisions (i) and (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 [Amendment No. 95 to Supplementary Regulation No. 14.]

quart as determined under the pricing method provided herein.

$\frac{1}{2}$ quart container sizes. The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than (A) out-of-store sales, (B) home-deliveries and (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum price for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iii) *Bradley County [Tennessee].* Except as set forth below the maximum prices for the sale of approved fluid milk in Bradley County shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such county.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

(7) *South Carolina.* The maximum price for approved fluid milk sold and delivered in glass and paper containers of one quart or less within the State of South Carolina [with the exception of Colleton, Horry and Orangeburg counties] by any person at wholesale or retail shall be a price determined under either Pricing Method No. 1 or Pricing Method No. 2 set forth below. [Any seller may choose either pricing Method No. 1 or Pricing Method No. 2, but may not use both methods.] However, any person entering the business of selling approved fluid milk at wholesale or retail after March 5, 1943 shall be limited to Pricing Method No. 2. A person taking over an established business shall be subject to the same maximum prices as his transferor, in accordance with § 1499.5 General provisions of the General Maximum Price Regulation.

(i) (A) *Pricing Method No. 1 [South Carolina].* The maximum price established by the seller under the General Maximum Price Regulation [if such seller has, prior to March 6, 1943, estab-

lished such maximum price] or the following prices, whichever are lower:

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	15	16	8	9	4½	5½
Retail out-of-store.....	17	18	-----	-----	-----	-----
Retail home-delivered.....	17	18	-----	-----	-----	-----

Except. That any seller electing to use Pricing Method No. 1, as set forth above, shall, on or before March 16, 1943, report such election and the price so determined to the South Carolina State Office of the Office of Price Administration, Liberty Life Building, Columbia, South Carolina. [This report should be in letter form, no specific form being required.]

$\frac{1}{2}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out of store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(B) *Pricing Method No. 2 [South Carolina].*

[In cents]

	Quart		Pint		Half-pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	14	15	8	9	4	5
Retail out-of-store.....	16	17	-----	-----	-----	-----
Retail home-delivered.....	16	17	-----	-----	-----	-----

Except. That no seller may establish an adjusted retail price under Pricing Method No. 2 which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2c per quart.

Example. A retailer having an established glass container price of 12c per quart may put into effect an adjusted retail price, un-

der this pricing method, or not more than 14¢.

Except. That the seller's adjusted wholesale price under this pricing method, for sales in quart container sizes to a particular purchaser, shall be 2¢ a quart less than the adjusted retail price of that particular purchaser, as determined under the pricing method provided herein.

Example. The wholesale price for glass quart container sizes shall be 12¢ a quart to retailers whose adjusted retail price is 14¢ a quart as determined under the pricing method provided herein.

$\frac{1}{2}$ quart container sizes. The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Colleton, Horry and Orangeburg Counties [South Carolina].* Except as set below the maximum prices for the sale of approved fluid milk in Colleton, Horry and Orangeburg counties shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

3. Section 1499.73 (a) (1) (vii) (e) (1) is revoked.

4. Section 1499.73 (a) (1) (vii) (e) (2) is redesignated as § 1499.73 (a) (1) (vii) (e) (1).

5. Section 1499.73 (a) (1) (vii) (e) (3) is redesignated as § 1499.73 (a) (1) (vii) (e) (2).

6. The text of § 1499.73 (a) (1) (vii) (g) is amended to read as follows:

(g) *Definitions.* For purposes of this subdivision (vii):

This amendment shall become effective June 26, 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9979; Filed, June 21, 1943;
3:07 p. m.]

PART 1499—COMMODITIES AND SERVICES
[SR 15 to GMPR, Amdt. 6]

CERTAIN CARRIER SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1499.75 (a) (3), the first undesignated paragraph is amended to read as follows:

§ 1499.75 *Adjustment of maximum prices.* (a) * * *

(3) *Services of carrier other than common carrier and storage and terminal services.* The Office of Price Administration, or any regional office thereof, may adjust the maximum prices established under the General Maximum Price Regulation for any person supplying service as a carrier, other than a common carrier, or for any person supplying storage or terminal service, who shows in an application for adjustment (i) that such maximum price subjects him to substantial hardship; and (ii) that the adjustment requested is necessary to permit the continuance of the supply of an essential service for which there is no adequate substitute available at a price lower than the maximum price requested.

This amendment shall become effective June 26, 1943.

(Pub. Laws Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 9328)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9978; Filed, June 21, 1943;
3:08 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amdt. 1 to Order 46 Under SR 15]

T. O. VEST

Amendment No. 1 to Order No. 46 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation; Docket No. GF3-1341.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.1346 (e) is amended to read as follows:

(e) This Order No. 46 (§ 1499.1346) shall become effective August 1, 1942.

*Copies may be obtained from the Office of Price Administration.

This amendment shall become effective June 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9977; Filed, June 21, 1943;
3:09 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 30]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 11.5 (a) is amended to read as follows:

(a) An institutional user who has received a supplemental allotment of a rationed food during the first or second allotment period shall, when he applies for the allotments for the fourth allotment period, report the number of persons served and his dollar revenue for the period for which he received the supplemental allotment. The Board shall then compute an allotment in the same way it computes allotments pursuant to section 6.3 or 7.3, whichever is applicable, using the figures for the allotment period in question as if they were the figures for the first two of the three calendar months preceding that period. If the result so obtained is less than the sum of the original and the supplemental allotment received for the period, the difference shall be deducted from the allotment for the fourth period. However, an institutional user who received a supplemental allotment for foods covered by Ration Order 16 for the first allotment period, shall report the number of persons served and his dollar revenue for the period from March 29, 1943 to April 30, 1943, inclusive. In making the computation for foods covered by that order, the Board shall divide the number of persons he served and his dollar revenue during that period by the number of persons served and his dollar revenue in December 1942. The smaller of these two quotients is to be multiplied by his base for foods covered by Ration Order 16. (In the case of Group II users, only the figures of the number of persons served are used.) If the result so obtained is less than the sum of the original and the supplemental allotment he received for that period, the difference shall be deducted from the allotment for the fourth period.

This amendment shall become effective June 26, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in

¹ 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616, 3851, 4131, 4325, 4784, 4785, 4839, 5341, 5265, 5476, 5478, 5485, 5843, 6118, 6439, 6956, 7105, 7554, 7453, 7600, 8064.

accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.D. Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9983; Filed, June 22, 1943;
9:40 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS
[Correction to Rev. MPR 109¹]

AIRCRAFT LUMBER

In § 1312.361, Appendix A, Tables 4 and 4A, the parenthetical expression in each of the table headings reads, in part—"The grade terms used herein refer to the specifications dated April 16, 1943". In these two instances the date "April 16, 1943" is corrected to read "April 19, 1943".

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9982; Filed, June 22, 1943;
9:38 a. m.]

PART 1407—RATIONING OF FOOD AND
FOOD PRODUCTS
[RO 16,² Amdt. 38]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 15.3 is amended to read as follows:

SEC. 15.3 *Wholesalers may receive points to replace inventory losses due to shrinkage (evaporation) or cutting.* (a) Any wholesaler who suffers a loss in his inventory of "meat" (except canned meat) because of shrinkage (evaporation or dehydration), or who suffers a loss in his inventory of "rationed cheeses" (except process cheese, cheese foods, bottled cheeses or grated cheese) because of shrinkage or cutting, may apply to his board on OPA Form R-315 for a certificate to replace such losses. The application may be made at any time within one month after each three month period, beginning with April 1, 1943, during which he incurred such losses. The application must be signed by the wholesaler or his authorized agent, and must show:

(1) His name and principal business address;

(2) The three month period during which losses of inventory by shrinkage (or cutting, in the case of rationed cheeses) were incurred;

¹ 7 F.R. 10100; 8 F.R. 270, 2872, 4826, 4717, 6833.

² 8 F.R. 6446, 6614, 6620, 6687, 6840, 6960, 6961, 7115, 7268, 7381, 7281, 7589, 7455, 7491.

(3) The point value of his sales and transfers (other than exchanges, or transfers from one to another of his wholesale establishments), during that period, of these foods;

(4) The number of points of these foods lost by shrinkage (or cutting, in the case of rationed cheeses) during that period;

(5) The point value of his inventory losses, during that period due to shrinkage (or cutting, in the case of rationed cheeses) of these foods. He must also give any other information which the board may request.

(b) If the board finds that the wholesaler suffered an inventory loss because of the shrinkage (or cutting, in the case of rationed cheeses) of these foods held by him for sale or transfer, it shall issue a certificate for the number of points necessary to replace the losses. However, no certificate may be issued to allow more than one percent in the case of meat, and two percent in the case of rationed cheeses, of the point value of his sales and transfers (other than exchanges, or transfers from one to another of his wholesale establishments) of these foods during the three months in which the losses were incurred.

This amendment shall become effective June 26, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729; 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9985; Filed, June 22, 1943;
9:39 a. m.]

PART 1499—COMMODITIES AND SERVICES [Order 27 Under § 1499.29 of GMPR]

CAMBRIDGE MACHINE AND VALVE, INC.

Order No. 27 under § 1499.29 of the General Maximum Price Regulation; Docket No. 3188-85.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, It is hereby ordered, That:

§ 1499.427 *Authorization of a maximum price for a 6-inch hub and gate valve for the Cambridge Machine and Valve, Inc.* (a) The Cambridge Machine and Valve, Inc., of Cambridge, Massachusetts, may sell and deliver 6-inch hub and manually operated gate valves at \$27.63 each f. o. b. point of manufacture, under a Government contract or a subcontract under any such contract.

(b) If the contract between the Cambridge Machine and Valve, Inc., and any purchaser holding a Government contract or subcontract under such contract has been negotiated at a price higher than that established by this

Order No. 27, such price shall be adjusted downward to the established price. If any payment has been made under such contract at a price higher than that established by this Order No. 27, refund of the excess must be made to such purchaser.

(c) All prayers of the application not granted herein are denied.

(d) The Cambridge Machine and Valve, Inc., shall submit such reports as the Office of Price Administration may at any time request.

(e) This Order No. 27 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 27 (§ 1499.427) shall become effective June 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9983; Filed, June 22, 1943;
9:38 a. m.]

PART 1316—COTTON TEXTILES

[MPR 11,¹ Amdt. 6]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1316.4 Table III subparagraph (4) (i), (4) (ii), (5) (i) and (5) (ii) are amended by changing the date June 24, 1943 in each to read, July 10, 1943.

This amendment shall take effect June 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9984; Filed, June 22, 1943;
9:39 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,² Amdt. 44]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 183 is amended in the following respects:

1. Section 1418.14 (n) Table XIV is amended by deleting the word "bag" in the headnote "price per 25 kilo bag".

2. Section 1418.14 (v) Table XX is amended by adding two new items to the

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 361, 2206, 4628, 4725, 5477, 8065.

² 8 F.R. 4122, 4351, 4781, 4788, 5486, 5739, 5742, 5819, 6000, 6001, 6139, 6359, 6446, 6614, 6621, 6964, 7261, 7854, 7392, 7456, 7594, 8377, 8509, 8510.

category Canned tomato juice after the item S. & W., to read as follows:

Items and brand names	Unit	Price to wholesaler	Price to retailer	Retail price
CHB.....	Or. cans			Per can
Heinz.....	Case 48/12....	\$3.12	\$3.60	\$0.10
	Case 24/18....	2.92	3.35	.18

This amendment shall become effective as of June 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9987; Filed, June 22, 1943;
9:38 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 194,¹ Amdt. 11]

ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1418.63 (a) (12) is amended to read as follows:

(12) "Maximum price", except where the context otherwise requires, means the maximum price established by Maximum Price Regulation No. 194: *Provided, however*, That in such cities, towns, and communities in the Territory of Alaska where pennies are not generally used or available in the course of ordinary retail transactions, adjustments to the nearest nickel may be made by the seller on the total of the combined purchase prices of one or more commodities sold at a single sale, or the total of the combined purchase prices of one or more commodities sold in a series of sales but billed at the end of a period; that the prices of all commodities shall be posted according to the "maximum price" as herein defined.

This amendment shall become effective June 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9986; Filed, June 22, 1943;
9:39 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

NATIONAL SERVICE LIFE INSURANCE

§ 10.3402 *Effective date.* The effective date of a National Service Life Insurance policy granted under section

¹ 7 F.R. 5909, 6268, 5744, 8023, 8358, 8947, 9195, 10231, 10790, 11012; 8 F.R. 856.

602 (a), (b), (c), or (d) of the National Service Life Insurance Act of 1940, as amended, shall not be established prior to October 8, 1940, nor prior to the entrance of the applicant into active service. The effective date of the policy shall not be established later than the first day of the month following the date of application, nor after termination of active service.

Subject to the foregoing limitations the effective date of a National Service Life Insurance policy may be established upon written request by the applicant as follows:

(a) As of the date on which valid application and tender of premium are made: *Provided*, That a premium advanced by the Service Department under the provisions of Public Law 451, 77th Congress, and regulations of the Department promulgated thereunder shall be deemed to be a tender of the first premium.

(b) As of first day of month in which valid application and tender of premium are made.

(c) As of the first day of month following that in which valid application is made and premium tendered or allotment of pay established.

(d) As of first day of any month, but not more than six months, prior to the month in which valid application and tender of premium are made: *Provided*, That there be paid (1) an amount equal to the full reserve on the insurance at the end of the month prior to the month in which application is made, and (2) the full premium on the amount of insurance for the month in which application is made.

(e) Unless otherwise specified by the applicant, the effective date of National Service Life Insurance shall be established as follows:

(1) As of the date on which valid application and tender of premium are made: *Provided*, That a premium advanced by the Service Department under the provisions of Public Law 451, 77th Congress, and regulations of the Department promulgated thereunder shall be deemed to be a tender of the first premium.

(2) If the first premium be not tendered or advanced as provided above, such insurance shall be effective as of the first day of the month following the month in which valid application is made and allotment of pay established. (July 1, 1942.) [54 Stat. 1011; 38 U.S.C. 802; 56 Stat. 88, 89; 38 U.S.C. 802]

PREMIUMS

§ 10.3406 *Payment of premiums; insured in the active military, Naval, or Coast Guard Service.* Premiums on National Service Life Insurance may be paid by persons in the active military, naval, or Coast Guard service (a) by direct remittance to the Veterans Administration, or (b) by allotment of service pay. (July 1, 1942.) [54 Stat. 1011; 38 U.S.C. 802; 56 Stat. 88, 89; 38 U.S.C. 802]

LAPSE

§ 10.3417 *Nonlapse while insured is in active military, naval, or Coast Guard Service.* Except as provided in § 10.3418,

National Service Life Insurance will not lapse while the insured is in the active military, naval or Coast Guard service of the United States, if any allotment of active service pay had been established to cover premiums for such insurance. (July 1, 1942.) [54 Stat. 1011; 38 U.S.C. 802; 56 Stat. 88, 89; 38 U.S.C. 802]

§ 10.3418 *Lapse while insured is in active military, naval, or Coast Guard Service.* National Service Life Insurance will lapse and terminate while the insured is in the active military, naval, or Coast Guard service of the United States:

(a) If the insured fails to designate a method of payment of premiums at the time of applying or at any time elects to pay premiums on said insurance otherwise than by allotment of pay and such premiums are not paid prior to expiration of the grace period.

(b) If the service department shall discontinue the allotment and premium is not otherwise paid prior to expiration of the grace period. (July 1, 1942.) [54 Stat. 1011; 38 U.S.C. 802; 56 Stat. 88, 89; 38 U.S.C. 802]

§ 10.3419 *Lapse at discharge or resignation from active service.* When the insured under a National Service Life Insurance policy shall provide for payment of premiums by allotment of pay any previously authorized method of payment of premiums shall be deemed to be revoked. The insurance will lapse upon termination of the allotment because of discharge or resignation from the active service unless the premium be paid prior to expiration of the grace period. (July 1, 1942.) [54 Stat. 1011; 38 U.S.C. 802; 56 Stat. 88, 89; 38 U.S.C. 802]

FRANK T. HINES,
Administrator.

[F. R. Doc. 43-10005; Filed, June 22, 1943; 11:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 120-D]

PART 95—CAR SERVICE

BITUMINOUS COAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of June, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 120 of April 30, 1943 (8 F.R. 5761), and of Service Order No. 120-A of May 3, 1943 (8 F.R. 5821), suspending Service Order No. 120 until further order of the Commission, and of Service Order No. 120-B of June 1, 1943 (8 F.R. 7403), reinstating and amending Service Order No. 120, and of Service Order No. 120-C of June 4, 1943, suspending Service Order No. 120, as amended, until further order of the Commission; and it appearing that an emergency exists requiring immediate action:

It is ordered, That:

Section 95.11 *Bituminous Coal* (Service Order No. 120), as amended (Service Order No. 120-B), is hereby reinstated and made effective at 6 P. M., War Time, June 21, 1943, until further order of the Commission, and is hereby further amended by inserting June 21, 1943, in lieu of June 1, 1943, in lines 2 and 4 of paragraph (c) (7) of Service Order No. 120-B.

It is further ordered, That copies of this order shall be served upon all common carriers by railroad subject to the Interstate Commerce Act, upon all State commissions, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-10019; Filed, June 22, 1943; 11:53 a. m.]

Chapter II—Office of Defense Transportation

[General Permit ODT 24-7]

PART 520—CONSERVATION OF RAIL EQUIPMENT, EXCEPTIONS AND PERMITS

ELECTRIC PASSENGER TRAIN OPERATIONS

Pursuant to § 500.42 of General Order ODT 24, as amended, it is hereby authorized, that:

§ 520.606 *Electric passenger train operations.* Notwithstanding the provisions of § 500.41 of General Order ODT 24, as amended, any rail carrier, when operating a street, suburban, or inter-urban electric railway as a part of a general steam railroad system of transportation, may operate in urban or suburban service with electrically propelled equipment and cars specially designed for such electric railway service which are not interchangeable with standard equipment used in main-line operations:

(a) Passenger train or passenger car schedules in addition to those operated during the week ending September 26, 1942; or

(b) Extra or special passenger trains or passenger cars, or passenger trains or passenger cars which are not scheduled; or

(c) Extra sections to scheduled passenger trains or passenger cars.

This General Permit ODT 24-7 shall become effective June 21, 1943 (E.O. 8989, 6 F.R. 6725; Gen. Order ODT 24, as amended, 7 F.R. 7814, 10484).

Issued at Washington, D. C., this 19th day of June, 1943.

JOSEPH B. EASTMAN,
Director, Office of
Defense Transportation.

[F. R. Doc. 43-10016; Filed, June 22, 1943; 11:59 a. m.]

[General Permit ODT 17-24]

PART 521—CONSERVATION OF MOTOR EQUIPMENT: EXCEPTIONS, PERMITS, AND EXEMPTIONS

RETAIL DELIVERIES OF PROPERTY SOLD FROM MOTOR TRUCKS

In accordance with the provisions of § 501.71 of General Order ODT 17, as amended, it is hereby authorized, that:

§ 521.2900 *Retail deliveries of property sold from motor trucks.* Notwithstanding the provisions of paragraph (b) of § 501.75 (limiting the number of delivery operations), the provisions of subparagraph (1) of paragraph (a) of § 501.76 and Appendix No. 2 (limiting the frequency of deliveries weekly), and the provisions of subparagraph (3) of paragraph (a) of § 501.76 (specifying size and weight of goods for delivery), of General Order ODT 17, as amended, any motor carrier, while operating a motor truck for the purpose of making retail deliveries of property sold or offered for sale from such truck, may, in lieu of compliance with the otherwise applicable retail delivery restrictions imposed by §§ 501.75 and 501.76 and Appendix No. 2, operate such truck once each day to one, and only one, point or sales location for the purpose of making retail deliveries of property sold from such truck: *Provided*, That no truck or trucks shall be operated for such purpose on Sunday or to any point beyond the boundaries of the municipality or urban community in which such operation shall have originated or to the same point or sales location more than twice in a calendar week.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 8278, 8377)

This General Permit ODT 17-24 shall become effective on June 21st, 1943.

Issued at Washington, D. C., this 19th day of June 1943.

JOSEPH B. EASTMAN,
Director, Office of
Defense Transportation.

[F. R. Doc. 43-10017; Filed, June 22, 1943; 11:59 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

CLARK COUNTY, WISCONSIN

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been deter-

mined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION II

Wisconsin

County—Clark.

Locality I.—Consisting of Thorp Township ----- \$5,387

Locality II.—Consisting of Abbotsford Village (part), Beaver Township, Butler Township, Colby City (part), Colby Township, Curtiss Village, Dewhurst Township, Dorchester Village, Eaton Township, Foster Township, Fremont Township, Grant Township, Granton Village, Green Grove Township, Greenwood City, Hendren Township, Hewett Township, Hixon Township, Hoard Township, Levis Township, Longwood Township, Loyal Township, Loyal Village, Lynn Township, Mayville Township, Mead Township, Mentor Township, Neillsville City, Owen City, Pine Valley Township, Roseburg Township, Seif Township, Sherman Township, Sherwood Township, Thorp Village, Unity Township, Unity Village (part), Warner Township, Washburn Township, Weston Township, Withee Township, Withee Village, Worden Township, York Township ----- \$4,487

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: June 19, 1943.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 43-9999; Filed, June 22, 1943; 11:15 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Permit 17 Under Service Order 123]

ST. LOUIS SOUTHWESTERN RAILWAY CO.
AND BALTIMORE AND OHIO RAILROAD CO.

RE-ICING OF POTATOES IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

Either the St. Louis Southwestern Railway Company (Berryman Henwood, Trustee) or The Baltimore and Ohio Railroad Company, but not both, to re-ice once in transit after the first or initial icing NRC 8286 containing potatoes consigned Wesco Foods Company, Chicago, Illinois, or re-consigned Kroger Grocery and Baking Company, Columbus, Ohio.

The way bill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 19th day of June 1943.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 43-10018; Filed, June 22, 1943; 11:53 a. m.]

OFFICE OF PRICE ADMINISTRATION.

VEGETABLE CANNERS

[Order 37 Under MPR 152]

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1341.22 (b): *It is ordered:*

(a) Canners are authorized to sell and deliver the canned vegetables listed below under an agreement with the buyer in each case to adjust the selling price to conform with maximum prices to be established by the Office of Price Administration for the 1943 pack thereof respectively:

- (1) Asparagus,
- (2) Black eye peas,
- (3) Crowder peas,
- (4) Okra,
- (5) Okra with tomatoes, and
- (6) Vegetable greens, as follows:
 - (i) Turnip greens
 - (ii) Mustard greens
 - (iii) Dandelion greens
 - (iv) Poke greens
 - (v) Collard greens

(b) This order may be revoked or amended by the Price Administrator at any time.

This order becomes effective June 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9994; Filed, June 22, 1943; 9:39 a. m.]

Regional Office Orders.

[Region VII Order G-3 Under MPR 121]

ANTHRACITE COAL IN SANTA FE COUNTY, N. MEX.

Order No. G-3 under § 1340.247a (b) of Maximum Price Regulation No. 121 (formerly General Order No. 1); Docket No. VII-1340.247a (b)-1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.247a (b) of Maximum Price Regulation No. 121, *It is hereby ordered:*

(a) *Specific maximum prices established by this order.* The maximum prices for producers of anthracite coal in the Santa Fe County area, delivered f. o. b. transportation facility at Anthracite Breaker No. 4 of the Albu-

querque and Cerrillos Coal Company, shall be for the various sizes as follows:

	Per ton
No. 1 anthracite grate coal.....	\$9.05
No. 2 anthracite egg coal.....	9.05
No. 3 anthracite stove coal.....	9.05
Baseburner anthracite coal.....	9.05
No. 7 anthracite pea coal.....	5.05
No. 8 anthracite buckwheat coal.....	3.55

(c) *Definitions.* For the purpose of this order:

(1) "The Santa Fe County area" means all of that area lying within the geographical boundaries of the county of Santa Fe in the State of New Mexico.

(2) Unless the context otherwise requires, the definitions set forth in § 1340.248 of Maximum Price Regulation No. 121 shall apply to the terms used in this order.

(d) *Applicability of other regulations.* All of the terms and provisions of Maximum Price Regulation No. 121 not inconsistent with or inapplicable to this order shall apply to this order and be deemed to be a part hereof to the same extent and with like operation and effect as if re-written herein.

(e) *Petition for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that any such petition shall be filed with the Regional Administrator, who shall act thereon.

(f) *Notice by producers to buyers.* Within thirty days from the effective date of this order the Albuquerque and Cerrillos Coal Company, and every other producer of anthracite coal in the Santa Fe County Area, shall notify all persons purchasing their coals of the adjustments granted in paragraph (b) of this order and shall include in such notice a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with, and subject to, the conditions stated in Maximum Price Regulation No. 122.

(g) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order or any provision thereof at any time.

(h) *Effective date.* This order shall become effective as of March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

ARNOLD E. SCOTT,
Acting Regional Administrator.

[F. R. Doc. 43-9990; Filed, June 22, 1943; 9:36 a. m.]

[Region VII Amdt. 1 to Order G-3 Under MPR 121]

ANTHRACITE COAL IN SANTA FE COUNTY, N. MEX.

Amendment No. 1 to Order No. G-3 under § 1340.247a (b) of Maximum Price Regulation No. 121 (formerly Order No.

G-1); adjustment of maximum prices for anthracite coal f. o. b. breaker in Santa Fe County, New Mexico; Docket No. VII-1340.247a (b)-1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.247a (b) of Maximum Price Regulation No. 121, It is hereby ordered:

1. Paragraph (b) *Sizes and prices* of Order No. G-3 under § 1340.247a (b) of Maximum Price Regulation No. 121, issued March 6, 1943, is hereby amended by adding thereto two additional classes of anthracite coal to be designated No. 9 and No. 10 as follows:

	Per ton
No. 9 Anthracite Chestnut coal.....	\$7.05
No. 10 Anthracite Duff coal.....	3.55

2. *Effective date.* This amendment No. 1 to Order No. G-3 shall become effective as of May 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of May 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-9992; Filed, June 22, 1943; 9:37 a. m.]

[Region VII Order G-5 Under Rev. MPR 122]
BITUMINOUS COAL IN COLORADO SPRINGS AND PUEBLO AREAS, COLORADO

General Order No. G-5 under § 1340.260 of Revised Maximum Price Regulation No. 122 (formerly General Order No. 1); specific maximum prices for bituminous coal delivered by dealers in the Colorado Springs and Pueblo Areas, State of Colorado. Docket No. 1340.260-1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, It is hereby ordered:

(a) *Specific maximum prices established by this order.* The maximum prices of dealers and sellers in the Colorado Springs and Pueblo areas of the State of Colorado for first grade and second grade bituminous Canon coal produced in subdistricts 2 and 3 of District 17 in Fremont County, State of Colorado, delivered to the buyer at any point in said areas, shall be as set forth below in Schedules I, II, III and IV. The maximum price for a "yard" sale shall be determined by reference to the appropriate schedule covering the area in which the purchaser takes physical possession or custody of the bituminous coal, and deducting from such schedule price the seller's customary allowance on "yard" sales.

(b) *Schedule I.* Prices for bituminous coal produced in subdistrict 2 of District 17 in Fremont County, State of Colorado, commonly referred to as first grade Canon coal, delivered to the buyer in the Colorado Springs area, shall be as follows:

	Per ton
6" lump coal.....	\$9.45
3" lump coal.....	9.25
6" x 1½" egg coal.....	8.60
3" x 1½" nut coal.....	8.15
1½" x 1" range coal.....	7.35
1½" x ¾" pea coal.....	7.05
1½" x 0" slack coal.....	6.05

(c) *Schedule II.* Prices for bituminous coal produced in subdistrict 3 of District 17 in Fremont County, State of Colorado, commonly referred to as second grade Canon coal, delivered to the buyer in the Colorado Springs area, shall be as follows:

	Per ton
6" lump coal.....	\$8.95
3" lump coal.....	8.75
6" x 1½" egg coal.....	8.35
3" x 1½" nut coal.....	8.00
1½" x 1" range coal.....	7.35
1½" x ¾" pea coal.....	7.05
1½" x 0" Slack coal.....	6.05

(d) *Schedule III.* Prices for bituminous coal produced in subdistrict 2 of District 17 in Fremont County, State of Colorado, commonly referred to as first grade Canon coal, delivered to the buyer in the Pueblo area, shall be as follows:

	Per ton
6" lump coal.....	\$8.70
3" lump coal.....	8.50
6" x 1½" egg coal.....	7.85
3" x 1½" nut coal.....	7.40
1½" x 1" range coal.....	6.60
1½" x ¾" pea coal.....	6.30
1½" x 0" slack coal.....	5.30

(e) *Schedule IV.* Prices for bituminous coal produced in subdistrict 3 of District 17 in Fremont County, State of Colorado, commonly referred to as second grade Canon coal, delivered to the buyer in the Pueblo area, shall be as follows:

	Per ton
6" lump coal.....	\$8.20
3" lump coal.....	8.00
6" x 1½" egg coal.....	7.60
3" x 1½" nut coal.....	7.25
1½" x 1" range coal.....	6.60
1½" x ¾" pea coal.....	6.30
1½" x 0" slack coal.....	5.30

(f) *Definitions.* For the purpose of this order:

(1) The "Colorado Springs area" means all of that area lying within the municipal boundaries of Colorado Springs and the Broadmoor community, the Stratton Home and the Printer's Home.

(2) The "Pueblo area" means all of that area lying within the municipal boundaries of the municipality of Pueblo and extending the distance of three miles beyond at all points.

(3) Unless the context otherwise requires, the definitions set forth in § 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used in this order.

(4) "Yard delivery" means a delivery made at the seller's place of business or out of a railroad car set for unloading at his place of business.

(g) No seller subject to this order shall change or withdraw his customary allowances, discounts or other price differentials including any and all price differentials on "yard" deliveries unless such change results in a lower price.

(h) *Exceptions.* (1) The prices specified in Schedules I to IV hereof shall not apply to sales of bituminous coal delivered to a purchaser from a mine or preparation plant in a truck or wagon owned by or subject to control by the producer of the bituminous coal, or of a distributor thereof, all such sales being subject to Maximum Price Regulation No. 120.

(i) *Applicability of other regulations.* Section 1340.361, and all other sections of Revised Maximum Price Regulation No. 122 not inconsistent with or inapplicable to this order, shall apply to this order and be deemed to be a part hereof to the same extent and with like operation and effect as they would have if re-written herein.

(j) *Revocation of previous adjustment orders.* All regional adjustment orders heretofore made for sellers of bituminous coal in the Colorado Springs and Pueblo areas, whether individual or general orders, are hereby expressly revoked, terminated and superseded by this order as of the effective date hereof.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order or any provision thereof at any time.

(m) *Effective date.* This order shall become effective as of March 1, 1943.

(Pub Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

ARNOLD E. SCOTT,
Acting Regional Administrator.

[F. R. Doc. 43-9989; Filed, June 22, 1943;
9:36 a. m.]

[Region VII Order G-1 Under MPR 329]

FLUID MILK IN QUAY COUNTY, NEW MEXICO

Order No. G-1 under Maximum Price Regulation No. 329 (formerly General Order No. 1)—Purchases of Milk from Producers for Resale as Fluid Milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (d) of Maximum Price Regulation No. 329, It is hereby ordered:

(a) *Maximum prices of "milk" purchased from producers in Quay County, New Mexico.* The maximum price for milk purchased from producers in Quay County, State of New Mexico, shall, from and after the effective date of this order be 95¢ per pound of butterfat content delivered at the buyer's processing or distribution plant, or the minimum producer's price established under the provisions of the Agricultural Marketing

No. 123—5

Agreement Act of 1937, as amended, whichever is higher.

(b) *Fractional price adjustments.* Computations of the butterfat content of "milk" shall be carried out to the second decimal place and fractions of a cent in price shall be adjusted upward to the next one cent if the fraction is $\frac{1}{2}$ cent or more, and shall be adjusted downward to the next cent if the fraction is less than $\frac{1}{2}$ cent.

(c) *Exempt sales.* (1) This order shall not apply to sales and deliveries of "milk" at retail, or at wholesale in glass or paper containers, as defined and covered by the General Maximum Price Regulation, and it shall not apply to those bulk sales and deliveries at wholesale in any other type of container covered by Maximum Price Regulation No. 280.

(2) This order shall not apply to purchases of bulk milk from producers for use in manufactured dairy products, such as butter, cheese, evaporated or condensed milk, powdered milk, casein, ice cream and commercial or industrial milk products.

(d) *Records and reports.* (1) Every person subject to this order who purchases "milk" from a producer shall keep and make available, for examination by the New Mexico State Office of the Office of Price Administration and by this Regional Office, records of the same kind that he is required to keep by Maximum Price Regulation No. 329.

(2) Such person shall submit reports to the New Mexico State Office of the Office of Price Administration which this Regional Office of the Office of Price Administration may from time to time require.

(e) *Definitions.* (1) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk.

(2) "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(3) "Quay County, New Mexico" means all the area lying within the geographical boundaries of that county of the State of New Mexico.

(4) Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 shall apply to the terms used in this order.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective February 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

ARNOLD E. SCOTT,
Acting Regional Administrator.

[F. R. Doc. 43-9991; Filed, June 22, 1943;
9:36 a. m.]

[Region VII Order G-2 Under MPR 329]

FLUID MILK IN SOUTHEASTERN IDAHO AREA

Order No. G-2 issued under § 1351.408 (d) of Maximum Price Regulation No.

329 (formerly General Order No. 1); order modifying prices for fluid milk purchased from producers for resale in the Southeastern Idaho area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1351.408 (d) of Maximum Price Regulation No. 329, It is hereby ordered:

(a) *Purchases of milk from producers for resale as fluid milk in the southeastern Idaho area.* From and after the effective date of this Order No. G-1 the maximum prices which a purchaser may in the course of trade or business pay a producer for milk in the southeastern Idaho area shall be as set forth below:

(1) Grade A milk—80¢ per pound of butterfat content.

(2) Ungraded milk—72¢ per pound of butterfat content.

(b) *Prices on other than butterfat basis.* If milk subject to this order is purchased from a producer on a hundred weight gallon or other unit basis than a butterfat unit basis, such price per hundred weight per gallon or per other unit of purchase shall not exceed the price determined on the basis of actual butterfat content at the prices hereinabove specified per butterfat unit for Grade A and ungraded milk respectively.

(c) *Higher established maximum prices may be maintained.* If any producer of milk in said southeastern Idaho area now has an established maximum price under Maximum Price Regulation No. 329 that is higher than the prices fixed by this order, any purchaser may continue to pay him such higher price.

(d) *Definitions.* For the purpose of this order:

(1) "Milk" means cow's milk at the producer level, both Grade A and ungraded, when sold in the course of trade or business to a purchaser who buys for resale as fluid milk and not for use in manufactured dairy products such as butter, cheese, evaporated or condensed milk, powdered milk, casein, ice cream, and commercial or industrial milk products.

(2) "Butterfat unit" or "butterfat content" means the actual butterfat contained in any given quantity of milk when measured by the weight of such butterfat.

(3) "Southeastern Idaho area" means all of that area contained within the geographical boundaries of the counties of Bonneville, Bingham, Bannock, Caribou, Power, Bear Lake, Franklin, Oneida, Cassia, Twin Falls, and Jerome, of the State of Idaho.

(4) Insofar as the same are not contradictory or inconsistent with any of the terms and provisions of this Order No. G-2, the definitions and explanations set forth in § 1499.20 of the General Maximum Price Regulation shall apply to and are hereby deemed to be a part of this Order No. G-2 to the same extent as if re-written herein.

(e) *Applicability of Maximum Price Regulation No. 329.* Insofar as the same are not contradictory or inconsistent

with the terms and provisions of this Order No. G-2, the terms and provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and applicable to the subject matter of this Order No. G-2.

(f) *Right to amend or revoke.* This order may be revoked, amended or corrected by the Regional Administrator or Price Administrator at any time.

(g) *Effective date.* This order shall become effective as of 12:01 a. m. March 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-9993; Filed, June 22, 1943;
9:37 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-64, 59-60]

INDIANA HYDRO-ELECTRIC POWER CO.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of June 1943.

In the matter of Indiana Hydro-Electric Power Company; File No. 54-64 and Indiana Hydro-Electric Power Company; Hugh M. Morris, trustee of the estate of Midland United Company; File No. 59-60.

Indiana Hydro-Electric Power Company, a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of the plan of recapitalization of said Indiana Hydro-Electric Power Company; and the Commission having instituted proceedings under sections 11 (b) (2), 15 (f), and 20 (a) with respect to Indiana Hydro-Electric Power Company and Hugh M. Morris, Trustee of the Estate of Midland United Company, and having consolidated said matters for hearing; and certain hearings having been held on said matters, and said hearings having been continued to June 21, 1943; and

Indiana Hydro-Electric Power Company having requested that the continued hearing in this matter be postponed; and the Commission deeming it appropriate that the continued hearing be postponed to July 13, 1943;

It is ordered, That the continued hearing in this matter previously scheduled for June 21, 1943, at 10:30 a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be and hereby is postponed to July 13, 1943, at the same hour and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-9964; Filed, June 21, 1943;
2:16 p. m.]

[File No. 70-718]

GENERAL GAS & ELECTRIC CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of June 1943.

General Gas & Electric Corporation, a registered holding company, and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, and particularly section 12 (c) thereof, and Rule U-46 promulgated thereunder, regarding the declaration and payment out of capital surplus of a quarterly dividend on its \$5 prior preferred stock for the quarterly period ended June 15, 1942, distribution of the said dividend to be made only to the holders of the 32,110.9 shares in the hands of the public; the trustees of Associated Gas and Electric Corporation, a registered holding company, having waived the collection of such dividends until further order of the Commission; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter, and having made and filed its findings and opinion therein;

It is ordered, That the aforesaid declaration be and hereby is permitted to become effective forthwith subject to the terms and conditions as set forth in said declaration and those prescribed in Rule U-24 of the General Rules and Regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-9965; Filed, June 21, 1943;
2:16 p. m.]

[File No. 70-738]

NORTHERN STATES POWER COMPANY (DELAWARE) AND NORTHERN STATES POWER COMPANY (MINNESOTA)

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of June, A. D. 1943.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company; and

Notice is further given that any interested person may, not later than June 29, 1943, at 4:00 P. M., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time, thereafter, such joint declaration, as filed or

as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The aforesaid companies propose to continue the postponement of the payment of \$345,650.18, the balance of the 1942 installment on the open account indebtedness owing by Northern States Power Company (Delaware) to Northern States Power Company (Minnesota) until December 31, 1943, by which date it is contemplated that a plan filed pursuant to section 11 (e) of said Act for the dissolution of Northern States Power Company (Delaware), which plan provides for the disposition of said indebtedness, will be acted upon by this Commission; that pending action on the plan or until December 31, 1943 (whichever date be earlier) the Northern States Power Company (Minnesota) will continue to segregate on its books \$345,650.18 of its earned surplus as not being available for the declaration of dividends on its common stock; and that Northern States Power Company (Minnesota) waive all interest due on said indebtedness for the period from June 30, 1943 to December 31, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-9966; Filed, June 21, 1943;
2:16 p. m.]

[File No. 812-301]

NIAGARA SHARE CORPORATION OF MARYLAND AND THE CHICAGO CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of June, A. D. 1943.

Niagara Share Corporation of Maryland has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said Act a transaction in which applicant proposes to sell to The Chicago Corporation a voting trust certificate for 367 shares of common stock of Gulf Plains Corporation and first mortgage 6% notes of Gulf Plains Corporation in the principal amount of \$100,000. The proposed sale price for the voting trust certificate is \$18,350 and that for the notes is to be the principal amount thereof plus accrued unpaid interest thereon to the date of sale. The principals in the proposed transaction are registered investment companies and each is an affiliated person of Gulf Plains Corporation.

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on June 29, 1943 at 10:00 o'clock, a. m., Eastern War Time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Robert P. Reeder, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Niagara Share Corporation of Maryland and The Chicago Corporation and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors. By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-9967; Filed, June 21, 1943;
2:17 p. m.]

[File Nos. 59-39, 54-50, 59-10]

NORTH AMERICAN LIGHT & POWER CO. ET AL.

NOTICE OF ADDITIONAL ISSUE TO BE
CONSIDERED

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 21st day of June 1943.

In the matter of North American Light & Power Company Holding-Company System and the North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; the North American Company, et al., File No. 59-10.

The Commission having heretofore on December 28, 1942, entered its interim order in the above entitled consolidated proceedings prohibiting North American Light & Power Company from paying to The North American Company, its agents, representatives, assigns or trans-

ferees the interest due on January 1, 1943, on the debentures of North American Light & Power Company held by The North American Company for the reasons specified in the Commission's Opinion accompanying said order (Holding Company Act Release No. 4023); and

It appearing that the proceedings with respect to a plan of liquidation heretofore filed by North American Light & Power Company have not yet been terminated and that hearings are still in progress thereon; and

It further appearing that the next regular date for the payment of interest on the said debentures now held by The North American Company is July 1, 1943; and

It further appearing to the Commission that the payment of the interest due July 1, 1943, on the said debentures held by The North American Company may result in unfair or inequitable treatment to the public security holders of North American Light & Power Company or to Illinois Iowa Power Company, depending on the final determination of the matters heretofore more fully described in our notice of and order for hearing dated December 15, 1942, heretofore issued in this proceeding (Holding Company Act Release No. 3984); and

It further appearing that a hearing herein is scheduled to be convened on June 21, 1943, for the purpose of adducing evidence relative to the fairness and equitableness of the said plan of liquidation of North American Light & Power Company; and

It further appearing to the Commission that it may be appropriate pursuant to the provisions of sections 11 (b) (2) and 12 (f) of the Public Utility Holding Company Act of 1935 that the Commission enter a further interim order suspending the payment of said interest due July 1, 1943;

Notice is hereby given to The North American Company, North American Light & Power Company, Illinois Iowa Power Company, and Lawrence R. Condon, Attorney for certain public preferred stockholders, and further notice shall be given by the Secretary of the Commission by mailing a copy of this

notice by registered mail to the above-named parties or by personal service on counsel for the above-named parties and by publication of this notice in the FEDERAL REGISTER that at the hearing scheduled to be held herein on June 21, 1943, particular attention will be directed to a determination of whether the Commission should enter a further interim order prohibiting North American Light & Power Company from paying to The North American Company, its agents, representatives, assigns or transferees the interest due on July 1, 1943, on the debentures of North American Light & Power Company now held by The North American Company, and any interest on said debentures that may thereafter become payable, until further order of the Commission, and requiring that the moneys which would otherwise be paid in interest be segregated from the other funds of North American Light & Power Company and held subject to order of the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-10004; Filed, June 22, 1943;
11:28 a. m.]

WAR PRODUCTION BOARD.

PLAN FOR DISTRIBUTION OF CERTAIN
IRON AND STEEL SCRAP

Correction

The second line of the first paragraph is missing from the document appearing on page 8524 of the issue for Saturday, June 19, 1943. The corrected paragraph should read as follows:

"The War Production Board has had difficulty in moving remote scrap to steel mills because of the high delivered cost resulting from freight rates. Even where remote scrap has not been involved, difficulty has sometimes been encountered in moving other scrap. The following plan is proposed to assure the movement of scrap to points of consumption and to avoid large accumulations in collection areas."

